

1 SB267
2 133111-3
3 By Senator Sanders (N & P)
4 RFD: Local Legislation No. 1
5 First Read: 09-FEB-12

1 SB267

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to Dallas County; authorizing elections to
8 determine whether alcoholic beverages may be sold or dispensed
9 on Sunday by properly licensed retail licensees serving the
10 general public within the county.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. This act shall apply only in Dallas
13 County.

14 Section 2. (a) The voters of Dallas County may
15 authorize the sale of alcoholic beverages within the county on
16 Sunday by an election pursuant to this act, in the following
17 manner:

18 Within 30 days from the effective date of this act,
19 the Dallas County Commission, by resolution, may call an
20 election for the county to determine the sentiment of the
21 voters of the county as to whether or not alcoholic beverages
22 can be legally sold or distributed on Sunday within the
23 county.

24 (b) On the ballot to be used for such election, the
25 question shall be in the following form: "Do you favor the

1 legal sale and dispensing of alcoholic beverages within the
2 county on Sunday between 12:00 P.M. (noon), and 9:30 P.M., and
3 on those Sundays on which occurs New Year's Eve (December 31),
4 after 12:00 P.M. (noon)? Yes ___ No ___."

5 (c) The first election and any subsequent elections
6 shall be held and the officers appointed to hold the election
7 in the manner provided by law for holding other county
8 elections, and the returns thereof tabulated and results
9 certified as provided by law for county elections. Any Sunday
10 sales election shall be held as provided in this act as a
11 special election or any subsequent county election following
12 the date of the resolution.

13 (d) Notice of the election shall be given by the
14 governing body of the Dallas County Commission by publication
15 or by posting the notice at the county courthouse apprising
16 the voters of the county, at least three weeks before the date
17 of the election, that an election shall be held to determine
18 whether alcoholic beverages may be sold in the unincorporated
19 areas of the county on Sunday. The cost of the election shall
20 be paid out of the general fund of the county.

21 (e) Only qualified voters of the county may vote in
22 the election. If a majority of the voters voting in the
23 election vote "Yes," alcoholic beverages can be legally sold
24 or dispensed within the unincorporated areas of the county on
25 Sunday by licensees of the Alcoholic Beverage Control Board

1 and the county serving the general public in accordance with
2 applicable laws and regulations between the hours of 12:00
3 P.M., noon, and 9:30 P.M. Except as authorized by law or
4 during such hours, it shall be unlawful for any licensed
5 vendor to sell, dispense, or permit the consumption of
6 alcoholic beverages on Sunday. Provided, that on those Sundays
7 on which occurs New Year's Eve, December 31, alcoholic
8 beverages may be sold or dispensed by such licensees pursuant
9 to applicable laws and regulations any time after 12:00 P.M.,
10 noon. The county may enact, by ordinance, such policies it
11 deems appropriate to regulate any aspect of Sunday alcoholic
12 beverages sales.

13 (f) If a majority of the voters voting in the
14 election vote "No," alcoholic beverages may not be sold or
15 dispensed in the unincorporated areas of the county on Sunday
16 after the hour of 2:00 A.M., except as otherwise authorized by
17 law or by subsequent election which legalizes the sale and
18 dispensing of alcoholic beverages on Sunday.

19 Section 3. The provisions of this act are cumulative
20 and supplemental to the present power and authority of the
21 county and is not intended to, nor shall it be interpreted so
22 as to, repeal any existing power or authority of the county
23 now permitted under the general laws of the state, or under
24 any local or special act of the Legislature.

1 Section 4. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB267

Senate 20-MAR-12

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 12-APR-12

By: Senator Sanders