

1 SB465
2 156954-1
3 By Senator Fielding (N & P)
4 RFD: Local Legislation No. 1
5 First Read: 18-MAR-14

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Tallassee in Elmore and
14 Tallapoosa Counties; to authorize elections to determine
15 whether alcoholic beverages may be sold on Sunday for
16 off-premises consumption by properly licensed retail licensees
17 serving the general public within the city.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. This act shall apply only to the City of
20 Tallassee in Elmore and Tallapoosa Counties.

21 Section 2. (a) The voters of the City of Tallassee
22 may authorize the sale of alcoholic beverages for off-premises
23 consumption within the municipality on Sunday between the
24 hours of 1:00 p.m. and midnight by an election pursuant to
25 this act, in the following manner:

26 The governing body of the City of Tallassee, by
27 resolution, shall hold a referendum at the next general

1 election in the city to determine if alcoholic beverages may
2 be sold within the municipality for off-premises consumption.

3 (b) On the ballot to be used for such election, the
4 question shall be in the following form: "Do you favor the
5 legal sale of alcoholic beverages within this municipality for
6 off-premises consumption on Sunday between the hours of 1:00
7 p.m. and midnight? Yes ___ No ___."

8 (c) The first election and any subsequent elections
9 shall be held and the officers appointed to hold the election
10 in the manner provided by law for holding other elections and
11 the returns thereof tabulated and results certified as
12 provided by law for elections.

13 (d) Notice of the election shall be given by the
14 governing body of the municipality by publication or by
15 posting the notice at the town or city hall apprising the
16 voters of the municipality, at least three weeks before the
17 date of the election, that an election shall be held to
18 determine whether alcoholic beverages may be sold in the
19 municipality on Sunday between 1:00 p.m. and midnight. The
20 cost of the election shall be paid out of the general fund of
21 the municipality.

22 (e) Only qualified voters of the municipality may
23 vote in the election. If a majority of the voters voting in
24 the municipal election vote "Yes," alcoholic beverages can be
25 legally sold or dispensed within the corporate limits of the
26 municipality for off-premises consumption on Sunday between
27 1:00 p.m. and midnight by licensees of the Alcoholic Beverage

1 Control Board and the City of Tallassee serving the general
2 public in accordance with applicable laws and regulations. The
3 municipality may enact, by ordinance, such policies it deems
4 appropriate to regulate any aspect of Sunday alcoholic
5 beverages sales.

6 (f) If a majority of the voters voting in the
7 municipal election vote "No," alcoholic beverages may not be
8 sold or dispensed in the municipality on Sunday after the hour
9 of 2:00 a.m., except as otherwise authorized by law or by
10 subsequent election which legalizes the sale and dispensing of
11 alcoholic beverages on Sunday.

12 (g) A period of not less than one year shall elapse
13 between the dates of elections pursuant to this act.

14 Section 3. The provisions of this act are cumulative
15 and supplemental to the present power and authority of the
16 City of Tallassee and is not intended to repeal, nor shall it
17 be interpreted so as to repeal, any existing power or
18 authority of the City of Tallassee now permitted under the
19 general laws of the state, or under any local or special act
20 of the Legislature.

21 Section 4. This act shall become effective
22 immediately following its passage and approval by the
23 Governor, or its otherwise becoming law.