

1 HB627  
2 130354-3  
3 By Representative Harper (N & P)  
4 RFD: Tuscaloosa County Legislation  
5 First Read: 24-MAY-11

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ENROLLED, An Act,

Relating to Tuscaloosa County; authorizing elections to determine whether alcoholic beverages may be sold or dispensed on Sunday by properly licensed retail licensees serving the general public in the areas of the county that are outside the city limits of the Cities of Tuscaloosa and Northport.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall apply only in portions of Tuscaloosa County.

Section 2. (a) The voters of Tuscaloosa County that reside outside the city limits of Tuscaloosa and Northport may authorize the sale of alcoholic beverages on Sunday in the areas of the county that are outside the city limits of the Cities of Tuscaloosa and Northport by an election pursuant to this act in the following manner:

Within 30 days from the effective date of this act, the Tuscaloosa County Commission, by resolution, may call an election for the residents of the county that reside outside of the Cities of Tuscaloosa and Northport to determine the sentiment of the voters of the county as to whether or not alcoholic beverages can be legally sold or distributed on Sunday within the areas of the county that are outside the city limits of the Cities of Tuscaloosa and Northport.

1           (b) On the ballot to be used for such election, the  
2 question shall be in the following form: "Do you favor the  
3 legal sale and dispensing of alcoholic beverages in the areas  
4 of the county that are outside the city limits of the Cities  
5 of Tuscaloosa and Northport on Sunday between 12:00 P.M.,  
6 noon, and 9:30 P.M., and on those Sundays on which occurs New  
7 Year's Eve (December 31), after 12:00 P.M., noon? Yes \_\_\_ No  
8 \_\_\_."

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

17           (d) Notice of the election shall be given by the  
18 governing body of the Tuscaloosa County Commission by  
19 publication or by posting the notice at the county courthouse  
20 apprising the voters of the county, at least three weeks  
21 before the date of the election, that an election shall be  
22 held to determine whether alcoholic beverages may be sold on  
23 Sunday in the areas of the county that are outside the city  
24 limits of the Cities of Tuscaloosa and Northport. The cost of

1 the election shall be paid out of the general fund of the  
2 county.

3 (e) Only qualified voters of the county that reside  
4 outside of the Cities of Tuscaloosa and Northport may vote in  
5 the election. If a majority of the voters voting in the  
6 election vote "Yes," alcoholic beverages can be legally sold  
7 or dispensed on Sunday in the areas of the county that are  
8 outside the city limits of the Cities of Tuscaloosa and  
9 Northport by licensees of the Alcoholic Beverage Control Board  
10 and the county serving the general public in accordance with  
11 applicable laws and regulations between the hours of 12:00  
12 P.M., noon, and 9:30 P.M. Except as authorized by law or  
13 during such hours, it shall be unlawful for any licensed  
14 vendor to sell, dispense, or permit the consumption of  
15 alcoholic beverages on Sunday. Provided, that on those Sundays  
16 on which occurs New Year's Eve, December 31, alcoholic  
17 beverages may be sold or dispensed by such licensees pursuant  
18 to applicable laws and regulations any time after 12:00 P.M.,  
19 noon. The county may enact, by ordinance, such policies it  
20 deems appropriate to regulate any aspect of Sunday alcoholic  
21 beverages sales.

22 (f) If a majority of the voters that resides outside  
23 the Cities of Tuscaloosa and Northport voting in the election  
24 vote "No," alcoholic beverages may not be sold or dispensed on  
25 Sunday in the areas of the county that are outside the city

1 limits of the Cities of Tuscaloosa and Northport, except as  
2 otherwise authorized by law or by subsequent election which  
3 legalizes the sale and dispensing of alcoholic beverages on  
4 Sunday.

5 Section 3. The provisions of this act are not  
6 intended to, nor shall this act be interpreted so as to affect  
7 or have any impact upon current or future rights or policies  
8 of the Cities of Tuscaloosa or Northport regarding the legal  
9 sale or distribution of alcoholic beverages within the city  
10 limits of the Cities of Tuscaloosa or Northport.

11 Section 4. The provisions of this act are cumulative  
12 and supplemental to the present power and authority of the  
13 county and are not intended to, nor shall this act be  
14 interpreted so as to, repeal any existing power or authority  
15 of the county now permitted under the general laws of the  
16 state, or under any local or special act of the Legislature.

17 Section 5. This act shall become effective  
18 immediately following its passage and approval by the  
19 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 26-MAY-11.

Greg Pappas  
Clerk

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Senate

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02-JUN-11

Passed