

1 HB73
2 125122-1
3 By Representatives Clouse and Boothe (N & P)
4 RFD: Local Legislation
5 First Read: 01-MAR-11

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Ozark in Dale County;
14 authorizing the sale of draft or keg beer or malt beverages by
15 properly licensed retail licensees of the Alabama Alcoholic
16 Beverage Control Board; providing for a referendum; and
17 repealing Act 2008-423 of the 2008 Regular Session (Acts 2008,
18 p. 823), relating to the sale of draft or keg beer or malt
19 beverages in the City of Ozark in Dale County.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. This act only applies in the corporate
22 limits of the City of Ozark

23 Section 2. Subject to Section 4, the sale of draft
24 or keg beer or malt beverages for on-premises consumption by
25 retail licensees of the Alabama Alcoholic Beverage Control
26 Board is authorized within the corporate limits of the city.
27 The sale of draft or keg beer or malt beverages by retail

1 licensees of the Alabama Alcoholic Beverage Control Board is
2 authorized within the corporate limits of the city only if
3 such beverages are sold in kegs.

4 Section 3. All ordinances relating to the sale,
5 consumption, and possession of bottled or canned beer shall
6 apply to draft or keg beer or malt beverages.

7 Section 4. The governing body of the city shall hold
8 a referendum to determine if draft or keg beer may be sold for
9 on-premises consumption. If a majority of the voters voting
10 thereon in the municipality vote in favor of the question,
11 then the sale of draft or keg beer for on-premises consumption
12 shall be authorized.

13 Section 5. The referendum shall be held at the next
14 general, special, or City of Ozark municipal election. If a
15 majority of the voters voting thereon do not vote in favor of
16 the question, a subsequent referendum or referenda may be
17 held. A second or subsequent referendum shall not be held
18 within 12 months following a referendum which fails to be
19 approved by the voters of the city.

20 Section 6. Act 2008-423 of the 2008 Regular Session
21 (Acts 2008, p. 823), relating to the sale of draft or keg beer
22 or malt beverages in the City of Ozark in Dale County is
23 repealed.

24 Section 7. This act shall become effective
25 immediately following its passage and approval by the
26 Governor, or its otherwise becoming law.