

1 HB570
2 139323-1
3 By Representative McCampbell (N & P)
4 RFD: Local Legislation
5 First Read: 20-MAR-12

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of York in Sumter County,
14 authorizing elections to determine whether alcoholic beverages
15 may be sold or dispensed on Sunday by properly licensed retail
16 licensees serving the general public within the city.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. This act shall apply only to the City of
19 York in Sumter County.

20 Section 2. (a) The voters of the City of York may
21 authorize the sale of alcoholic beverages within the
22 municipality on Sunday by an election pursuant to this act, in
23 the following manner:

24 Within 30 days from the effective date of this act,
25 the governing body of the City of York, by resolution, may
26 call an election for the municipality to determine the
27 sentiment of the voters of the municipality residing within

1 the corporate limits as to whether or not alcoholic beverages
2 can be legally sold or distributed on Sunday within the
3 municipality.

4 (b) On the ballot to be used such election. the
5 question shall be the following form:

6 "Do you favor the legal sale and distribution of
7 alcoholic beverages within this municipality, on Sunday
8 between 1:00 P.M. and 10:30 P.M., and on those Sundays on
9 which occurs New Year's Eve (December 31), after 12:00 P.M.
10 (noon)? Yes ___ No ___"

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

19 (d) Notice of the election shall be given by the
20 governing body of the municipality by publication or by
21 posting a notice at the town or city hall apprising the voters
22 of the municipality, at least three weeks before the date of
23 the election that an election shall be held to determine
24 whether alcoholic beverages may be sold in the municipality on
25 Sunday. The cost of the election shall be paid out of the
26 general fund of the municipality.

1 (e) Only qualified voters of the municipality may
2 vote in the election. If a majority of the voters voting in
3 the municipal election vote "Yes," alcoholic beverages can be
4 legally sold or dispensed within the corporate limits of the
5 municipality on Sunday by licensees of the Alcoholic Beverage
6 Control Board and the City of York serving the general public
7 in accordance with applicable laws and regulations between the
8 hours of 1:00 P.M. and 10:30 P.M. Except as authorized by law
9 or during such hours, it shall be unlawful for any licensed
10 vendor to sell, dispense or permit the consumption of
11 alcoholic beverages on Sunday. Provided, that on those Sundays
12 on which occurs New Year's Eve, December 31, alcoholic
13 beverages may be sold or dispensed by such licensees pursuant
14 to applicable laws and regulations any time after 12:00 P.M.
15 (noon). The municipality may enact, by ordinance, such
16 policies it deems appropriate to regulate any aspect of Sunday
17 alcoholic beverage sales.

18 (f) If a majority of the voters voting in the
19 municipal election vote "No," alcoholic beverages may not be
20 sold or dispensed in the municipality on Sunday after the hour
21 of 2:00 A.M., except as otherwise authorized by law or by
22 subsequent election which legalizes the sale and dispensing of
23 alcoholic beverages on Sunday.

24 Section 3. The provisions of this act are cumulative
25 and supplemental to the present power and authority of the
26 City of York and are not intended to, nor shall they be
27 interpreted so as to, repeal any existing power or authority

1 of the City of York now permitted under the general laws of
2 the state, or under any local or special act of Legislature.

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