

1 SB237
2 135122-1
3 By Senator Sanford
4 RFD: Judiciary
5 First Read: 08-FEB-12

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8 SYNOPSIS: This bill would authorize a person to remove
9 a bottle of wine from the premises of an Alcoholic
10 Beverage Control Board licensee if the bottle of
11 wine was opened on the premises and the bottle of
12 wine has been recorked or resealed in a bag
13 designed for that purpose.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 To add Section 28-3A-20.1 to the Code of Alabama
20 1975, to authorize a bottle of wine that has been purchased
21 and opened on the premises of an Alcoholic Beverage Control
22 Board licensee to be removed from the premises by the
23 purchaser provided the bottle of wine is resealed.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 28-3A-20.1 is added to the Code
26 of Alabama 1975, to read as follows:

27 §28-3A-20.1.

1 Notwithstanding any provision of this chapter to the
2 contrary, a person holding a license to sell alcoholic
3 beverages for consumption on the licensed premises may permit
4 a customer to remove one unsealed bottle of wine for
5 consumption off the premises if the customer has purchased and
6 consumed a portion of the bottle of wine on the licensed
7 premises. The licensee or the licensee's agent shall either:
8 (1) recork the bottle of wine with the original or similar
9 type cork that is reinserted in the bottle and the cork can
10 only be removed by a corkscrew or similar device; or (2)
11 securely reseal the bottle in a bag designed so that it is
12 visibly apparent that the resealed bottle of wine has not been
13 tampered with and shall provide a dated receipt for the
14 resealed bottle of wine to the customer. A wine bottle
15 recorked or resealed pursuant to the requirements of this
16 section is otherwise subject to the requirements of Section
17 32-5A-330, but a bottle of wine complying with this section
18 shall not be considered open.

19 Section 2. All laws or parts of laws which conflict
20 with this act are repealed.

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