

1 HB269  
2 145882-3  
3 By Representatives Williams (P), Ball, Johnson (W), McMillan,  
4 Patterson, McCutcheon and Hall  
5 RFD: Economic Development and Tourism  
6 First Read: 14-FEB-13

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8 SYNOPSIS: Current law provides that the governing body  
9 of a Class 1 municipality may establish up to five  
10 entertainment districts within its corporate  
11 limits.

12 This bill would provide that the governing  
13 body of a Class 3 municipality may establish up to  
14 five entertainment districts within its corporate  
15 limits.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT  
20

21 To amend Act 2012-438, now appearing as Section  
22 28-3A-17.1, Code of Alabama 1975, to provide that the  
23 governing body of a Class 3 municipality may establish up to  
24 five entertainment districts within its corporate limits.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. Act 2012-438, now appearing as Section  
2           28-3A-17.1, Code of Alabama 1975, is amended to read as  
3           follows:

4           "§28-3A-17.1.

5           "(a) The provisions of this section shall only apply  
6           to Class 1, Class 2, Class 3, Class 4, and Class 5  
7           municipalities and municipalities with an incorporated arts  
8           council, main street program, or downtown development entity.

9           "(b) Upon compliance of the applicant with the  
10          provisions of this chapter, and the regulations made  
11          thereunder which are not in conflict with the provisions of  
12          this section, the Alabama Alcoholic Beverage Control Board may  
13          issue an entertainment district designation for any retail  
14          license authorized in this chapter which allows the licensee  
15          to sell alcoholic beverages for consumption on the licensed  
16          premises and which licensed premises is located in an  
17          entertainment district established as provided in subsection  
18          (d) A licensee who receives an entertainment district  
19          designation for an on-premises retail license shall comply  
20          with all laws, rules, and regulations which govern its license  
21          type, except that the patrons, guests, or members of that  
22          licensee may exit that licensed premises with open containers  
23          of alcoholic beverages and consume alcoholic beverages  
24          anywhere within the confines of the entertainment district,  
25          which shall be permitted, but may not enter another licensed  
26          premises with open containers or closed containers of  
27          alcoholic beverages acquired elsewhere.

1           "(c) The permission granted by subsection (b)  
2           permitting the consumption of alcoholic beverages anywhere  
3           within the confines of the entertainment district shall not  
4           extend the confines of the licensed premises.

5           "~~(d) The governing body of a Class 1 municipality~~  
6           ~~may establish up to five entertainment districts within its~~  
7           ~~corporate limits, each of which must have not fewer than four~~  
8           ~~licensees holding a retail liquor license in that area, and~~  
9           ~~each district may not exceed one-half mile by one-half mile in~~  
10           ~~area, but may be irregularly shaped.~~ The governing body of  
11           any Class 2, ~~Class 3~~, Class 4, or Class 5 municipality or a  
12           municipality with an incorporated arts council, main street  
13           program, or downtown development entity may establish not more  
14           than two entertainment districts within its corporate limits,  
15           each of which must have not fewer than four licensees holding  
16           a retail liquor license in that area, and each district may  
17           not exceed one-half mile by one-half mile in area, but may be  
18           irregularly shaped.

19           "(e) The governing body of a Class 1 municipality  
20           and the governing body of a Class 3 municipality may establish  
21           up to five entertainment districts within the corporate  
22           limits, each of which must have not fewer than four licensees  
23           holding a retail liquor license in that area and each district  
24           may not exceed one-half mile by one-half mile in area, but may  
25           be irregularly shaped.

26           "~~(e)~~ (f) All laws or parts of laws which conflict  
27           with this section are repealed. All general, local, and

1 special laws or parts of such laws insofar as they designate  
2 or restrict the boundaries, size, or area of such  
3 entertainment districts are hereby repealed."

4 Section 2. This act shall become effective on the  
5 first day of the third month following its passage and  
6 approval by the Governor, or its otherwise becoming law.