

1 HB171  
2 156191-1  
3 By Representative Williams (J)  
4 RFD: Economic Development and Tourism  
5 First Read: 14-JAN-14

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8 SYNOPSIS: Current law provides that the governing body  
9 of a Class 1, Class 2, Class 3, or Class 4  
10 municipality may establish up to five entertainment  
11 districts within its corporate limits.

12 This bill would allow the governing body of  
13 a Class 6, Class 7, or Class 8 municipality to  
14 establish an entertainment district within its  
15 corporate limits.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT  
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21 To amend Section 28-3A-17.1, Code of Alabama 1975,  
22 as amended by Act 2013-382, 2013 Regular Session, to provide  
23 that the governing body of a Class 6, Class 7, or Class 8  
24 municipality may establish an entertainment district within  
25 its corporate limits.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

3           "§28-3A-17.1.

4           "(a) The provisions of this section shall ~~only~~ apply  
5 to Class 1, Class 2, Class 3, Class 4, and Class 5  
6 municipalities and certain municipalities with an incorporated  
7 arts council, main street program, or downtown development  
8 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 any Class 2, or Class 5  
6     municipality covered by Act 2013-382, or a municipality with  
7     an incorporated arts council, main street program, or downtown  
8     development entity may establish not more than two  
9     entertainment districts within its corporate limits, each of  
10    which must have not fewer than four licensees holding a retail  
11    liquor license in that area, and each district may not exceed  
12    one-half mile by one-half mile in area, but may be irregularly  
13    shaped.

14          "(e) The governing body of a Class 1 municipality,  
15    Class 4 municipality, Class 3 municipality, or any  
16    municipality which is located 15 miles north of the Gulf of  
17    Mexico, may establish up to five entertainment districts  
18    within the corporate limits, each of which must have not fewer  
19    than four licensees holding a restaurant retail liquor  
20    license, an on-premises alcoholic beverage license, or other  
21    retail liquor license in that area and each district may not  
22    exceed one-half mile by one-half mile in area, but may be  
23    irregularly shaped.

24          "The governing body of a Class 6, Class 7, and Class  
25    8 municipality may establish one entertainment district within  
26    its corporate limits which may not have fewer than four  
27    licensees holding a retail liquor license in that area and may

1 not exceed one-half mile by one-half mile in area, but may be  
2 irregularly shaped. The governing body of a Class 8  
3 municipality which is located in a county with a Class 3  
4 municipality may establish two entertainment districts within  
5 its corporate limits which may not have fewer than four  
6 licensees holding a retail liquor license in that area and may  
7 not exceed one-half mile by one-half mile in area, but may be  
8 irregularly shaped.

9 "For the purposes of this subsection, the term  
10 on-premises as applied to consumption within such  
11 entertainment district shall include anywhere within the  
12 district, regardless of the terms and conditions of licensure.

13 "(f) All laws or parts of laws which conflict with  
14 this section are repealed. All general, local, and special  
15 laws or parts of such laws insofar as they designate or  
16 restrict the boundaries, size, or area of such entertainment  
17 districts are hereby repealed."

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