

1 SB456
2 157551-1
3 By Senator Taylor (N & P)
4 RFD: Local Legislation No. 1
5 First Read: 11-MAR-14

2
3
4
5
6
7
8
9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

13 Relating to Elmore County; to authorize the City
14 Council of the City of Millbrook and the City Council of the
15 City of Wetumpka, respectively, to regulate and permit the
16 sale and consumption of alcoholic beverages on Sunday on the
17 licensed premises of certain properly licensed retail
18 licensees of the Alcoholic Beverage Control Board serving the
19 general public in each respective city; to provide for
20 exceptions; and to provide for referenda.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) (1) The City Council of the City of
23 Millbrook, by resolution passed by simple majority, may
24 regulate and permit the sale for on-premises consumption only
25 of alcoholic beverages on Sunday after 12:00 p.m. upon the
26 licensed premises of retail licensees of the Alcoholic
27 Beverage Control Board of the State of Alabama and of the City

1 of Millbrook serving the general public and located within the
2 corporate limits of the city. Any licensee granted authority
3 to sell alcoholic beverages on Sunday pursuant to this act
4 shall be required to have all servers of alcoholic beverages
5 complete responsible vendor training in the manner provided by
6 the Alcoholic Beverage Control Board.

7 (2) The provisions of subdivision (1) shall not be
8 effective unless approved by a majority of those voting at a
9 referendum election in the city. The referendum shall be held
10 in conjunction with the next primary election held in the
11 city.

12 (b) (1) The City Council of the City of Wetumpka, by
13 resolution passed by simple majority, may regulate and permit
14 the sale for on-premises consumption only of alcoholic
15 beverages on Sunday after 12:00 p.m. upon the licensed
16 premises of retail licensees of the Alcoholic Beverage Control
17 Board of the State of Alabama and of the City of Wetumpka
18 serving the general public and located within the corporate
19 limits of the city. Any licensee granted authority to sell
20 alcoholic beverages on Sunday pursuant to this act shall be
21 required to have all servers of alcoholic beverages complete
22 responsible vendor training in the manner provided by the
23 Alcoholic Beverage Control Board.

24 (2) The provisions of subdivision (1) shall not be
25 effective unless approved by a majority of those voting at a
26 referendum election in the city. The referendum shall be held

1 in conjunction with the next primary election held in the
2 city.

3 Section 2. (a) This act shall apply to the
4 regulation of the sale and distribution of alcoholic beverages
5 in the City of Millbrook and the City of Wetumpka in Elmore
6 County.

7 (b) The provisions of this act are cumulative and
8 supplemental to the present power and authority of the City of
9 Millbrook and the City of Wetumpka, respectively, and are not
10 intended to, nor shall they be interpreted so as to repeal any
11 existing power or authority of the City of Millbrook and the
12 City of Wetumpka now permitted under the general laws of the
13 state, or under any local or special act of the Legislature.

14 Section 3. For the purposes of this act, the term
15 "licensee of the Alcoholic Beverage Control Board" shall not
16 include an Alcoholic Beverage Control Board licensee who
17 offers, allows, or conducts either of the following:

18 (1) Gambling as defined in Section 13A-12-20, Code
19 of Alabama 1975.

20 (2) Class II or Class III gaming as defined in 25
21 U.S.C. §2703.

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