

1 HB430
2 157007-1
3 By Representative Coleman-Evans
4 RFD: Economic Development and Tourism
5 First Read: 07-APR-15

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8 SYNOPSIS: Currently, there is no law which prohibits
9 convenience stores licensed to sell alcoholic
10 beverages from placing movable containers in which
11 alcoholic beverages are placed or stored in
12 locations easily accessible to minors.

13 This bill would require convenience stores
14 licensed to sell alcoholic beverages to adopt a
15 policy of not placing movable containers in which
16 alcoholic beverages are placed or stored in
17 locations easily accessible to minors.

18 This bill would require the Alabama
19 Alcoholic Beverage Control Board to adopt rules
20 necessary to implement this act.

21
22 A BILL
23 TO BE ENTITLED
24 AN ACT

25
26 Relating to the sale of alcoholic beverages; to
27 require the owner of each convenience store where alcoholic

1 beverages are sold to adopt a policy of not placing movable
2 containers in which alcoholic beverages are placed or stored
3 in locations easily accessible to minors; and to require the
4 Alabama Alcoholic Beverage Control Board to adopt rules
5 necessary to implement this act.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. (a) For the purpose of this section, the
8 term convenience store means any business that is primarily
9 engaged in the retail sale of convenience goods, or both
10 convenience goods and gasoline, and employs one or more
11 employees during the normal operating hours of the
12 establishment. This term excludes businesses that operate as
13 hotels, taverns, lodging facilities, restaurants, stores that
14 sell prescription drugs, gasoline service stations, grocery
15 stores, supermarkets, businesses that have more than 10,000
16 square feet of retail floor space, farmers markets, roadside
17 stands, on-site farm markets, and other agricultural
18 activities or operations.

19 (b) The Legislature hereby finds and declares the
20 following:

21 (1) In this state, the legal drinking age is 21
22 years and older; persons 19 years of age may work as a server
23 of alcohol in a restaurant or bar, and those age 16 or over
24 may sell unopened packages of beer or wine in grocery and
25 convenience stores if a supervisor over age 19 is present.

26 (2) Alcoholic beverages are the second most heavily
27 advertised products in America, after cigarettes, and the

1 alcoholic beverage industry spends more than \$100 million
2 annually for outdoor advertising of its products.

3 (3) Stores that sell alcoholic beverages, especially
4 convenience stores, usually place coolers in which alcoholic
5 beverages are contained in locations easily accessible to
6 minors.

7 (4) The U.S. Supreme Court and other federal courts
8 have recognized the effect that advertising has on the
9 consumption of alcoholic beverages.

10 (5) In addition to judicial recognition of the link
11 between advertising and consumption, empirical studies have
12 shown that advertising increases consumption of alcoholic
13 beverages by minors.

14 (c) The owner of each convenience store licensed to
15 sell alcoholic beverages in the store shall adopt a policy of
16 not placing alcoholic beverages which are placed or stored in
17 movable containers in locations easily accessible to minors.

18 (d) The Alabama Alcoholic Beverage Control Board, no
19 later than the sixtieth day after the enactment of this act,
20 shall adopt rules necessary to implement this act.

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