

1 HB26
2 176362-2
3 By Representative Butler (N & P)
4 RFD: Local Legislation
5 First Read: 15-AUG-16

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Southside in Etowah and
14 Calhoun Counties; to authorize an election to determine
15 whether alcoholic beverages may be sold or dispensed on Sunday
16 by properly licensed retail licensees within the city.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. This act shall apply only to the City of
19 Southside in Etowah and Calhoun Counties.

20 Section 2. (a) The voters of the City of Southside
21 may authorize the sale of alcoholic beverages within the city
22 on Sunday by an election pursuant to this act, in the
23 following manner:

24 The governing body of the City of Southside, by
25 resolution, may call an election for the city to determine the
26 sentiment of the voters of the city residing within the

1 corporate limits, as to whether or not alcoholic beverages can
2 be legally sold or distributed on Sunday within the city.

3 (b) On the ballot to be used for such election, the
4 question shall be in the following form: "Do you favor the
5 legal sale and distribution of alcoholic beverages within the
6 City of Southside on Sunday subject to regulation by the City
7 Council? Yes ___ No ___."

8 (c) The election shall be held and the officers
9 appointed to hold the election in the manner provided by law
10 for holding other city elections, and the returns thereof
11 tabulated and results certified as provided by law for
12 municipal elections. Any Sunday sales election shall be held
13 as provided in this act as a special election or at any
14 subsequent city election following the date of the resolution.

15 (d) Notice of the election shall be given by the
16 city council of the city by publication or by posting the
17 notice at the city hall apprising the voters of the city, at
18 least three weeks before the date of the election, that an
19 election shall be held to determine whether alcoholic
20 beverages may be sold on Sunday. The cost of the election
21 shall be paid out of the general fund of the city.

22 (e) Only qualified voters of the city may vote in
23 the election. If a majority of the voters voting in the city
24 election vote "Yes," alcoholic beverages can be legally sold
25 or dispensed within the corporate limits of the city on Sunday
26 by licensees of the Alcoholic Beverage Control Board and the
27 city. The city council may enact, by ordinance, any policies

1 it deems appropriate to regulate any aspect of Sunday
2 alcoholic beverage sales.

3 Section 3. The provisions of this act are cumulative
4 and supplemental to the present power and authority of the
5 City of Southside and is not intended to, nor shall it be
6 interpreted so as to, repeal any existing power or authority
7 of the City of Southside now permitted under the general laws
8 of the state, or under any local or special act of the
9 Legislature.

10 Section 4. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.