

SB312 ENROLLED



1 SB312
2 JPZTUNN-3
3 By Senators Smitherman, Bell
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 08-Apr-25



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Enrolled, An Act,

Relating to alcoholic beverages; to provide for an event storage license that authorizes persons who sell and dispense alcoholic beverages pursuant to existing special event licenses to store alcoholic beverages at a permanent facility for transfer as needed to special event venues; to provide for a government venue license that authorizes persons to sell and dispense alcoholic beverages at special events held on government owned property; to authorize the Alcoholic Beverage Control Board to administer and enforce these licenses and to adopt rules; and to amend Section 28-3A-21, Code of Alabama 1975, to set license fees.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature finds all of the following:

(1) A structured framework is needed to allow holders of certain licenses issued by the Alcoholic Beverage Control Board which authorize the sale and dispensing of alcoholic beverages at special events on an occasional use basis to manage and store their alcoholic beverage inventory at a secure, permanent location.

(2) This act establishes a new category of license under the Alcoholic Beverage Control Board which allows a holder of certain special event licenses to store and transfer alcoholic beverages between a designated storage location and special event venues as needed.

(3) This act also establishes a new category of special



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event license to provide a method for a vendor to sell and dispense alcoholic beverages on state, county, and municipal government owned properties where special events are occasionally held.

Section 2. (a) Upon an eligible applicant's compliance with Chapter 3A of Title 28, Code of Alabama 1975, and rules adopted thereunder and payment of the event storage license fee as established in Section 28-3A-21, Code of Alabama 1975, the Alcoholic Beverage Control Board, on and after January 1, 2026, shall issue an event storage license to a person for such period of time not to exceed one year and upon such terms and conditions as the board may prescribe. An event storage license authorizes the licensee to purchase and store alcoholic beverages at one designated location and transfer alcoholic beverages as needed to special event venues where the licensee holds the appropriate special event license under the same Federal Employer Identification Number.

(b) Notwithstanding Section 28-3-4, Code of Alabama 1975, only the holder of one or more of the following special event licenses shall be eligible to make application for and hold an event storage license:

(1) A special events retail license.

(2) A nonprofit special events retail license.

(3) A special retail license for 30 days or less.

(4) A government venue license.

(c) An event storage license authorizes a licensee to:

(1) Store alcoholic beverages, when not at a special event venue, at the storage location;



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(2) Arrange delivery of alcoholic beverages purchased from the board or a wholesale licensee directly to the licensee's storage location or directly to a special event license venue; and

(3) Transfer alcoholic beverages between the storage location and a special event venue. Alcoholic beverages returned from a special event venue to the storage location may then be transferred to another special event venue, but a licensee may not transfer alcoholic beverages directly from one special event venue to another special event venue without first returning the alcoholic beverages to the storage location.

(d) (1) The holder of an event storage license may only purchase beer and table wine from a licensed wholesaler that maintains the appropriate franchise for the brand purchased in the area applicable to the storage location. The holder of an event storage license may only purchase liquor from board wholesale.

(2) The holder of an event storage license may purchase alcoholic beverages under one of the special events licenses listed in subsection (b) which is issued to the holder; provided, the purchase is made only from a vendor permitted under the special events license and that any remaining alcoholic beverages purchased are returned to the storage location.

(e) The holder of an event storage license may apply for and hold up to three such licenses, each of which permits one designated storage location, provided:



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(1) All storage locations are situated at least 100 miles from one another; and

(2) Alcoholic beverages may not be transferred between storage locations.

(f) The storage location facility must:

(1) Be secured at all times with locked access when not in use;

(2) Use an access control system to monitor and restrict entry to authorized individuals only;

(3) Be temperature controlled as appropriate for the types of alcoholic beverages stored; and

(4) Comply with local zoning and building codes.

(g) An event storage licensee shall track all alcoholic beverage transfers, on a form prescribed by the board, which shall include, but not be limited to, all of the following information:

(1) The name under which the event storage license is issued.

(2) The event storage license number.

(3) The date of the transfer.

(4) The type of alcoholic beverage, the brand name, and the quantity transferred.

(5) The destination of the transfer, identified by location, special event license type, and number.

(6) If the destination of the transfer is the return of alcoholic beverages from a special event venue to a storage location, the type of alcoholic beverage, the brand, and the quantity returned.



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113 (7) A signed certification that the transfer is in
114 compliance with this section and board rules.

115 (h) (1) An event storage licensee shall maintain for a
116 period of three years records of all alcoholic beverages
117 purchased, stored, transferred, and sold in accordance with
118 rules adopted by the board. These records may be maintained in
119 an electronic format so long as the records may be promptly
120 provided in a readable format upon request by the board.

121 (2) All invoices, transfer logs, and other records of
122 an event storage licensee shall be subject to inspection by
123 members of the board or by agents authorized and designated by
124 the board at any time during the normal business hours
125 established by the licensee.

126 (3) Inspection by the board or by agents authorized and
127 designated by the board may:

128 a. Include a search by law enforcement officers with
129 jurisdiction if the circumstances require; and

130 b. Extend to other buildings attached or adjacent to
131 the storage location, including a dwelling.

132 (i) (1) If a discrepancy is discovered during an
133 inspection or audit, the board may issue a compliance warning,
134 require immediate corrective action, or issue a citation.

135 (2) Reoccurring discrepancies discovered by audit or
136 inspection may be considered a violation pursuant to rules
137 adopted by the board.

138 (3) The board may assess a civil fine of no more than
139 one thousand dollars (\$1,000) for each occurrence that is a
140 violation of this chapter and may revoke the license.



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(j) The board shall adopt rules to implement this section.

Section 3. (a) Upon an applicant's compliance with Chapter 3A of Title 28, Code of Alabama 1975, and rules adopted thereunder and payment of the government venue license fee as established in Section 28-3A-21, Code of Alabama 1975, the Alcoholic Beverage Control Board shall issue a government venue license to a person for such period of time and upon such terms and conditions as the board may prescribe. A government venue license authorizes the licensee to purchase liquor and wine from the board and table wine and beer from any wholesale licensee and to sell at retail and dispense for on-premises consumption alcoholic beverages at a location on property owned or leased by the state or a political subdivision of the state. Locations may include, but are not limited to, civic centers and community event spaces; concert centers, amphitheaters, and music halls; convention centers and exhibition halls; government owned stadiums and sports complexes; or historic properties, parks, fairgrounds, or other outdoor spaces.

(b) The government venue license is a special retail license, and selling and dispensing of alcoholic beverages shall be restricted to an occasional use basis. For the purposes of this section, "occasional use basis" refers to a location where alcoholic beverages are sold and dispensed at individual events that may be open to the public or restricted to private parties. The term excludes locations where alcoholic beverages are dispensed and served to the public



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during continual business hours on a regular schedule.

(c) Any holder of a special retail license under Section 28-3A-19, Code of Alabama 1975, may convert the license to a government venue license no later than September 30, 2026; provided, all requirements for issuance of a government venue license are met.

Section 4. Section 28-3A-21, Code of Alabama 1975, is amended to read as follows:

"§28-3A-21

(a) The following annual license fees are levied and prescribed for licenses issued and renewed by the board pursuant to the authority contained in this chapter:

(1) Manufacturer license, license fee of five hundred dollars (\$500).

(2) Importer license, license fee of five hundred dollars (\$500).

(3) Liquor ~~wholesale~~wholesaler license, license fee of five hundred dollars (\$500).

(4) ~~Wholesaler~~Beer wholesaler license, ~~beer~~ license fee of five hundred fifty dollars (\$550) ~~or wine license fee of five hundred fifty dollars (\$550); license fee for beer and wine of seven hundred fifty dollars (\$750);~~ plus two hundred dollars (\$200) for each warehouse in addition to the principal warehouse.

(5) Wine wholesaler license, license fee of five hundred fifty dollars (\$550) plus two hundred dollars (\$200) for each warehouse in addition to the principal warehouse.

(6) Beer and wine wholesaler license, license fee of



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197 seven hundred fifty dollars (\$750) plus two hundred dollars
198 (\$200) for each warehouse in addition to the principal
199 warehouse.

200 (7) Warehouse license, license fee of two hundred
201 dollars (\$200).

202 ~~(6)~~ (8) Lounge retail liquor license, license fee of
203 three hundred dollars (\$300).

204 ~~(7)~~ (9) Restaurant retail liquor license, license fee of
205 three hundred dollars (\$300).

206 ~~(8)~~ (10) Club liquor license, Class I license fee of
207 three hundred dollars (\$300), Class II license fee of seven
208 hundred fifty dollars (\$750).

209 ~~(9)~~ (11) Retail table wine license for off-premises
210 consumption, license fee of one hundred fifty dollars (\$150).

211 ~~(10)~~ (12) Retail table wine license for on-premises and
212 off-premises consumption, license fee of one hundred fifty
213 dollars (\$150).

214 ~~(11)~~ (13) Retail beer license for on-premises and
215 off-premises consumption, license fee of one hundred fifty
216 dollars (\$150).

217 ~~(12)~~ (14) Retail beer license for off-premises
218 consumption, license fee of one hundred fifty dollars (\$150).

219 ~~(13)~~ (15) Retail common carrier liquor license, license
220 fee of one hundred fifty dollars (\$150) for each railroad,
221 airline, bus line, ship line, vessel, or other common carrier
222 entity with a vehicle passenger capacity of at least 10
223 people.

224 ~~(14)~~ (16) Special retail license, license fee of one



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225 hundred dollars (\$100) for 30 days or less; license fee of two
226 hundred fifty dollars (\$250) for more than 30 days.

227 ~~(15)~~ (17) Special events retail license, license fee of
228 one hundred fifty dollars (\$150).

229 (18) Government venue license, license fee of two
230 hundred fifty dollars (\$250).

231 (19) Event storage license, license fee of five hundred
232 fifty dollars (\$550).

233 (b) The license fees levied and fixed by this section
234 shall be paid before the license is issued or renewed.

235 (c) In addition to the foregoing filing fee and license
236 taxes or fees, any county or municipality in which the sale of
237 alcoholic beverages is permitted shall be authorized to fix
238 and levy privileges or license taxes on any of the foregoing
239 licenses located or operated therein, conditioned on a permit
240 or license being issued by the board.

241 (d) No county or municipality shall have any authority
242 to levy a license or tax of any nature on any liquor store."

243 Section 5. This act shall become effective on July 1,
244 2025.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

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Senate 15-Apr-25

I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives

Passed: 29-Apr-25

By: Senator Smitherman