

1 SB267  
2 133111-4  
3 By Senator Sanders (N & P)  
4 RFD: Local Legislation No. 1  
5 First Read: 09-FEB-12

SB267

With Notice and Proof

ENROLLED, An Act,

Relating to Dallas County; authorizing elections to determine whether alcoholic beverages may be sold or dispensed on Sunday by properly licensed retail licensees serving the general public within the county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall apply only in Dallas County.

Section 2. (a) The voters of Dallas County may authorize the sale of alcoholic beverages within the county on Sunday by an election pursuant to this act, in the following manner:

Within 30 days from the effective date of this act, the Dallas County Commission, by resolution, may call an election for the county to determine the sentiment of the voters of the county as to whether or not alcoholic beverages can be legally sold or distributed on Sunday within the county.

(b) On the ballot to be used for such election, the question shall be in the following form: "Do you favor the

1 legal sale and dispensing of alcoholic beverages within the  
2 county on Sunday between 12:00 P.M. (noon), and 9:30 P.M., and  
3 on those Sundays on which occurs New Year's Eve (December 31),  
4 after 12:00 P.M. (noon)? Yes \_\_\_\_ No \_\_\_\_."

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

13 (d) Notice of the election shall be given by the  
14 governing body of the Dallas County Commission by publication  
15 or by posting the notice at the county courthouse apprising  
16 the voters of the county, at least three weeks before the date  
17 of the election, that an election shall be held to determine  
18 whether alcoholic beverages may be sold in the county on  
19 Sunday. The cost of the election shall be paid out of the  
20 general fund of the county.

21 (e) Only qualified voters of the county may vote in  
22 the election. If a majority of the voters voting in the  
23 election vote "Yes," alcoholic beverages can be legally sold  
24 or dispensed within the county on Sunday by licensees of the  
25 Alcoholic Beverage Control Board and the county serving the

1       general public in accordance with applicable laws and  
2       regulations between the hours of 12:00 P.M., noon, and 9:30  
3       P.M. Except as authorized by law or during such hours, it  
4       shall be unlawful for any licensed vendor to sell, dispense,  
5       or permit the consumption of alcoholic beverages on Sunday.  
6       Provided, that on those Sundays on which occurs New Year's  
7       Eve, December 31, alcoholic beverages may be sold or dispensed  
8       by such licensees pursuant to applicable laws and regulations  
9       any time after 12:00 P.M., noon. The county may enact, by  
10      ordinance, such policies it deems appropriate to regulate any  
11      aspect of Sunday alcoholic beverages sales.

12               (f) If a majority of the voters voting in the  
13      election vote "No," alcoholic beverages may not be sold or  
14      dispensed in the county on Sunday after the hour of 2:00 A.M.,  
15      except as otherwise authorized by law or by subsequent  
16      election which legalizes the sale and dispensing of alcoholic  
17      beverages on Sunday.

18               Section 3. The provisions of this act are cumulative  
19      and supplemental to the present power and authority of the  
20      county and is not intended to, nor shall it be interpreted so  
21      as to, repeal any existing power or authority of the county  
22      now permitted under the general laws of the state, or under  
23      any local or special act of the Legislature.

1                   Section 4. This act shall become effective  
2       immediately following its passage and approval by the  
3       Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

Senate 20-MAR-12.

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

Senate 24-APR-12

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

Patrick Harris  
Secretary

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House of Representatives

Passed: 12-APR-12

House of Representatives

Passed: 24-APR-12, as amended by Executive Amendment.

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By: Senator Sanders