

1 HB395  
2 217962-3  
3 By Representative Lovvorn  
4 RFD: Economic Development and Tourism  
5 First Read: 22-FEB-22

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2 ENROLLED, An Act,

3 Relating to alcoholic beverages; to create a  
4 Hospitality Management Program license issued and regulated by  
5 the Alcoholic Beverage Control Board; to specify authorized  
6 activities; and to provide for license fees.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. (a) As used in this section, the term  
9 state university means a public two-year institution of higher  
10 education that has its own campus police department or a  
11 four-year institution of higher education.

12 (b) Upon compliance by an applicant with this  
13 section and Chapter 3A of Title 28, Code of Alabama 1975, and  
14 the rules adopted thereunder, the Alcoholic Beverage Control  
15 Board may issue a Hospitality Management Program license for  
16 any state university that operates a school or college that  
17 offers bachelors or associate degrees in Hospitality  
18 Management, Hospitality Sciences, Hotel Management, Event  
19 Management, Restaurant Management, or Culinary Sciences. A  
20 Hospitality Management Program license may be issued to the  
21 state university upon whose property the licensed premises is  
22 located or to a third party licensee of the board that has  
23 contracted with the state university to perform the licensed  
24 activities on the premises located on the state university  
25 campus.

1           (c) An application for a license under this section  
2 must be accompanied by a certificate ~~from~~ signed by the  
3 president or equivalent chief executive officer of the state  
4 university upon whose property the licensed premises is  
5 ~~located.~~ located. If the applicant is a two-year institution  
6 of higher education, the application must also be signed by  
7 the Chancellor of the Alabama Community College System.

8           (d) Notwithstanding any provision of Title 28, Code  
9 of Alabama 1975, including subdivision (a)(20) of Section  
10 28-3A-25 and Section 28-3-4, Code of Alabama 1975, a  
11 Hospitality Management Program license authorizes the licensee  
12 to do all of the following:

13           (1) Operate distilleries, wineries, breweries, or  
14 brewpubs, or any combination thereof, upon the premises of the  
15 state university as necessary to effectuate the purpose and  
16 mission of the state university and the academic programs  
17 described in subsection (b), provided the operations shall be  
18 in compliance with state and federal laws, rules, and  
19 regulations and the licensee shall be approved and permitted  
20 by the Alcohol and Tobacco Tax and Trade Bureau prior to  
21 operating. The alcoholic beverages produced by the  
22 distilleries, wineries, breweries, ~~or~~ and brewpubs may be sold  
23 at retail as further described in subdivision (4) or used for  
24 teaching purposes.

1           (2) Conduct or support classes, seminars, and labs  
2 as deemed necessary on the licensed premises and on adjacent  
3 board licensed premises, whether or not operated by the  
4 licensee, alone or in support of the state university's  
5 academic or other programs, or by other, third-party board  
6 retail licensees. The licensee may work in conjunction with  
7 personnel of other, third-party licensees of the board and may  
8 participate in activities of the state university. Students,  
9 interns, or employees shall be considered employees, agents,  
10 or servants of the licensees for the determination of  
11 liability.

12           (3) Lease an area on the licensed premises to the  
13 Alcoholic Beverage Control Board for use, if requested, to  
14 facilitate the traffic of alcoholic beverages to other board  
15 retail licensees located on the property that participate in  
16 the activities of the state university. With approval of the  
17 board, the licensee may be permitted to maintain a central  
18 storage area for alcoholic beverages produced by the licensee  
19 and to transfer and distribute the alcoholic beverages to  
20 other areas or operations on the licensed premises or other  
21 areas on the state university's campus, but may not leave the  
22 campus except as otherwise authorized pursuant to Title 28,  
23 Code of Alabama 1975.

24           (4) Purchase other liquor and wine from the board,  
25 or as authorized by the board; purchase table wine and beer

1 from any wholesale licensee of the board; and sell liquor,  
2 wine, and beer dispensed from containers of any size, to  
3 include draft or keg beer, for on-premises consumption or  
4 off-premises consumption each day of the week, including  
5 Sundays. The sale of alcoholic beverages shall be in  
6 furtherance of the educational mission of the state university  
7 and the academic programs described in this section, and shall  
8 be confined to those buildings, facilities, and grounds that  
9 comprise the premises licensed pursuant to this section.

10 ~~(e) The Alcoholic Beverage Control Board may not~~  
11 ~~issue a Hospitality Management Program license to more than~~  
12 ~~three two-year institutions of higher education.~~

13 (e)(f)(e) A licensee may not manufacture 60,000 or  
14 more barrels of beer per year on its licensed premises, and  
15 beer sold for off-premises consumption may not exceed 864  
16 ounces per customer per day.

17 (f)(g)(f) There is levied and assessed, upon all  
18 alcoholic beverages manufactured and sold at retail as  
19 provided in this section, the privilege or excise tax imposed  
20 on the sale of beer by Sections 28-3-184 and 28-3-190, Code of  
21 Alabama 1975; imposed on the sale of table wine by Section  
22 28-7-18, Code of Alabama 1975; and imposed on the sale of  
23 liquor by Sections 28-3-200 through 28-3-205, Code of Alabama  
24 1975, in the same manner as provided in those sections.

1           ~~(e)(g)(h)~~ (g) A licensee shall maintain Responsible  
 2 Vendor Program training records.

3           (h) A licensee shall post in each of its locations  
 4 where alcoholic beverages are served at least one sign warning  
 5 customers that the sale of alcoholic beverages to patrons  
 6 under 21 years of age is strictly prohibited. The sign shall  
 7 be posted at a point of sale or in any other location that is  
 8 visible to customers and employees.

9           ~~(f)(h)~~ (i) A licensee operating in compliance with  
 10 this section and any rules adopted by the board thereto shall  
 11 not be required to obtain any other license of the board under  
 12 Chapter 3A of Title 28, Code of Alabama 1975.

13           ~~(g)(i)~~ (j) An annual license fee of one thousand  
 14 dollars (\$1,000) is levied and prescribed for a Hospitality  
 15 Management Program license issued and renewed by the board  
 16 pursuant to this section and Chapter 3A of Title 28, Code of  
 17 Alabama 1975.

18           Section 2. This act shall become effective ~~on the~~  
 19 ~~first day of the third month~~ immediately following its passage  
 20 and approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 09-MAR-22, as amended.

Jeff Woodard  
Clerk

Senate	31-MAR-22	Amended and Passed
House	05-APR-22	Concurred in Senate Amendment