

1 HB345
2 197098-1
3 By Representatives Marques, Sells, Jones (M) and Clouse (N &
4 P)
5 RFD: Local Legislation
6 First Read: 04-APR-19

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Enterprise in Coffee County
14 and Dale County; authorizing the city council to provide for
15 the sale of alcoholic beverages on Sundays subject to a
16 referendum.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. This act applies only in the City of
19 Enterprise in Coffee County and Dale County.

20 Section 2. The sale of alcoholic beverages on
21 Sundays may be authorized by the city council within the
22 corporate limits of the City of Enterprise subject to approval
23 by a referendum as provided in this act. If the Sunday sale of
24 alcoholic beverages is approved by the referendum, the city
25 council of the city, by ordinance, may permit the sale and
26 consumption of alcoholic beverages subject to the referendum
27 as determined by the city council by properly licensed retail

1 licensees of the Alcoholic Beverage Control Board serving the
2 general public. Pursuant to authority granted pursuant to this
3 act, the city council may regulate which retail licensees may
4 sell alcoholic beverages on Sunday, whether the sale may be
5 for on-premises or off-premises consumption, or both, the
6 times on Sunday when the sale of alcoholic beverages shall be
7 allowed, and any other aspect of the Sunday sale of alcoholic
8 beverages.

9 Section 3. The city shall hold a referendum to
10 determine whether to grant authority to the city council to
11 provide for the sale of alcoholic beverages on Sunday pursuant
12 to the authority specified in the referendum. The referendum
13 shall specify whether the authority granted to the city
14 council would include the sale of alcoholic beverages on
15 Sundays for on-premises consumption and whether the authority
16 granted to the city council would include the sale of
17 alcoholic beverages on Sundays for off-premises consumption.
18 The referendum may be presented as one question or as separate
19 questions related to on-premises and off-premises consumption
20 as determined by the city council. If a majority of the voters
21 voting thereon vote in favor of the question or questions, the
22 sale of alcoholic beverages as authorized in this act on
23 Sunday may be provided for by the city council subject to the
24 referendum.

25 Section 4. The referendum shall be held at the next
26 regular municipal election or at a special municipal election
27 called for that purpose by the city council. Costs of the

1 referendum shall be paid by the city. A second or subsequent
2 referendum shall not be held within 12 months following a
3 referendum which fails to be approved by the voters of the
4 city or to further authorize the sale of alcoholic beverages
5 on Sunday pursuant to this act.

6 Section 5. All laws or parts of laws which conflict
7 with this act are repealed.

8 Section 6. This act shall become effective
9 immediately following its passage and approval by the
10 Governor, or its otherwise becoming law.