

1 HB493  
2 196927-1  
3 By Representative Greer (N & P)  
4 RFD: Local Legislation  
5 First Read: 23-APR-19

2  
3  
4  
5  
6  
7  
8  
9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
12

13 Relating to the Town of Lexington located in  
14 Lauderdale County; authorizing the sale of alcoholic beverages  
15 and draft beer in the town limits and police jurisdiction of  
16 the Town of Lexington each day of the week except on Sundays  
17 by properly licensed clubs and retail licensees of the  
18 Alcoholic Beverage Control Board.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. The voters of the Town of Lexington may  
21 authorize the sale of alcoholic beverages and draft beer for  
22 on-premises and off-premises consumption within the town each  
23 day of the week except Sunday by an election pursuant to this  
24 act, in the following manner:

25 (1) The governing body of the town, by resolution,  
26 shall call an election to determine the sentiment of the  
27 voters of the town residing within the corporate limits, as to

1 whether or not it may determine whether alcoholic beverages  
2 and draft beer can be legally sold or distributed each day of  
3 the week except on Sunday for on-premises and off-premises  
4 consumption within the town.

5 (2) On the ballot to be used for such election, the  
6 question shall be in the following form: "Do you favor the  
7 legal sale and distribution of alcoholic beverages and draft  
8 beer for on-premises and off-premises consumption within the  
9 corporate limits of the Town of Lexington each day of the week  
10 except Sunday? Yes \_\_\_\_ No \_\_\_\_."

11 (3) The first election shall be held at the next  
12 municipal election and any subsequent elections shall be held  
13 and the officers appointed to hold the election in the manner  
14 provided by law for holding other municipal elections, and the  
15 returns thereof tabulated and results certified as provided by  
16 law for municipal elections.

17 (4) Notice of the election shall be given by the  
18 governing body of the town by publication or by posting the  
19 notice at the town or city hall apprising the voters of the  
20 town, at least three weeks before the date of the election,  
21 that an election shall be held to determine whether alcoholic  
22 beverages and draft beer may be sold each day of the week  
23 except on Sunday in the town. The cost of the election shall  
24 be paid out of the general fund of the town.

25 (5) Only the qualified voters of the town may vote  
26 in the election. If a majority of the voters voting in the  
27 municipal election vote "Yes," alcoholic beverages and draft

1 beer may be legally sold or dispensed within the corporate  
2 limits of the town for on-premises and off-premises  
3 consumption each day of the week except Sunday by licensees of  
4 the Alcoholic Beverage Control Board and the Town of Lexington  
5 serving the general public in accordance with applicable laws  
6 and regulations. The town may enact, by ordinance, such  
7 policies it deems appropriate to regulate any aspect of the  
8 sale of alcoholic beverages and draft beer may be sold each  
9 day of the week except on Sunday.

10 (6) If a majority of the voters voting in the  
11 municipal election vote "No," alcoholic beverages and draft  
12 beer may not be sold or dispensed in the town, except as  
13 otherwise authorized by law or by subsequent election which  
14 legalizes the sale and dispensing of alcoholic beverages and  
15 draft beer.

16 (7) A period of not less than 360 days shall elapse  
17 between the dates of elections pursuant to this act.

18 Section 2. The provisions of this act are cumulative  
19 and supplemental to the present power and authority of the  
20 Town of Lexington and is not intended to, nor shall it be  
21 interpreted so as to, repeal any existing power or authority  
22 of the Town of Lexington now permitted under the general laws  
23 of the state, or under any local or special act of the  
24 Legislature.

25 Section 3. This act shall become effective  
26 immediately following its passage and approval by the  
27 Governor, or its otherwise becoming law.

