

1 HB461  
2 182290-1  
3 By Representative Blackshear (N & P)  
4 RFD: Local Legislation  
5 First Read: 04-APR-17

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to the City of Phenix City in Russell  
14 County; to authorize the governing body of the municipality to  
15 establish no more than two entertainment districts within the  
16 corporate limits of the municipality with no fewer than three  
17 licensees holding a restaurant retail liquor license, an  
18 on-premises alcoholic beverage license, or other retail liquor  
19 license; to provide for the licensees who receive an  
20 entertainment district designation; and to provide for  
21 consumption of alcoholic beverages anywhere within the  
22 entertainment district under certain conditions.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. As a matter of law, the Legislature  
25 declares that this act regulates the liquor traffic within the  
26 meaning and intent of Section 104 of the Constitution of  
27 Alabama of 1901.

1           Section 2. This act shall apply only to the City of  
2 Phenix City in Russell County.

3           Section 3. (a) Notwithstanding Section 28-3A-17.1 of  
4 the Code of Alabama 1975, the governing body of the City of  
5 Phenix City may establish not more than two entertainment  
6 districts within its corporate limits, each of which may not  
7 have fewer than three licensees holding a restaurant retail  
8 liquor license, an on-premises alcoholic beverage license, or  
9 other retail liquor license in that area, and each district  
10 may not exceed one-half mile by one-half mile in area, but may  
11 be irregularly shaped.

12           (b) (1) Upon compliance of the applicant with Chapter  
13 3A of Title 28 of the Code of Alabama 1975, and the  
14 regulations made pursuant to that chapter which are not in  
15 conflict with this act, the Alabama Alcoholic Beverage Control  
16 Board may issue an entertainment district designation for any  
17 retail license authorized in Chapter 3A of Title 28 of the  
18 Code of Alabama 1975, which allows the licensee of a licensed  
19 premises located in an entertainment district established  
20 pursuant to this act to sell alcoholic beverages for  
21 consumption on the licensed premises.

22           (2) A licensee who receives an entertainment  
23 district designation for an on-premises retail license shall  
24 comply with all laws, rules, and regulations which govern its  
25 license type, except that any patron, guest, or member of that  
26 licensee may exit that licensed premises with an open  
27 container of an alcoholic beverage and consume the alcoholic

1 beverage anywhere within the confines of the entertainment  
2 district, but may not enter another licensed premises with an  
3 open container or closed container of an alcoholic beverage  
4 acquired elsewhere.

5 (c) The permission granted by subsection (b)  
6 allowing a patron, guest, or member of a licensee to exit the  
7 licensed premises and consume an alcoholic beverage anywhere  
8 within the confines of the entertainment district shall not  
9 extend the confines of the licensed premises.

10 (d) For the purposes of this act, the term  
11 on-premises as applied to consumption within an entertainment  
12 district shall include anywhere within the district,  
13 regardless of the terms and conditions of the licensure.

14 Section 4. This act shall become effective  
15 immediately following its passage and approval by the  
16 Governor, or its otherwise becoming law.