

1 HB525
2 175687-1
3 By Representative Nordgren (N & P)
4 RFD: Local Legislation
5 First Read: 12-APR-16

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Hokes Bluff in Etowah
14 County; to authorize an election to determine whether
15 alcoholic beverages may be sold or dispensed on Sunday by
16 properly licensed retail licensees within the city.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. This act shall apply only to the City of
19 Hokes Bluff in Etowah County.

20 Section 2. (a) The voters of the City of Hokes Bluff
21 may authorize the sale of alcoholic beverages within the city
22 on Sunday by an election pursuant to this act, in the
23 following manner:

24 The governing body of the City of Hokes Bluff, by
25 resolution, may call an election for the city to determine the
26 sentiment of the voters of the city residing within the

1 corporate limits, as to whether or not alcoholic beverages can
2 be legally sold or distributed on Sunday within the city.

3 (b) On the ballot to be used for such election, the
4 question shall be in the following form: "Do you favor the
5 legal sale and distribution of alcoholic beverages within the
6 City of Hokes Bluff seven days a week subject to regulation by
7 the City Council? Yes ___ No ___."

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

15 (d) Notice of the election shall be given by the
16 city council of the city by publication or by posting the
17 notice at the city hall apprising the voters of the city, at
18 least three weeks before the date of the election, that an
19 election shall be held to determine whether alcoholic
20 beverages may be sold on Sunday. The cost of the election
21 shall be paid out of the general fund of the city.

22 (e) Only qualified voters of the city may vote in
23 the election. If a majority of the voters voting in the city
24 election vote "Yes," alcoholic beverages can be legally sold
25 or dispensed within the corporate limits of the city on Sunday
26 by licensees of the Alcoholic Beverage Control Board and the
27 city. The city council may enact, by ordinance, any policies

1 it deems appropriate to regulate any aspect of Sunday
2 alcoholic beverage sales.

3 (f) In the event the results of an election pursuant
4 to subsection (a) are negative, the city may call another
5 election as provided in subsection (a) provided the election
6 is held at least one year after a prior election.

7 Section 3. The provisions of this act are cumulative
8 and supplemental to the present power and authority of the
9 City of Hokes Bluff and is not intended to, nor shall it be
10 interpreted so as to, repeal any existing power or authority
11 of the City of Hokes Bluff now permitted under the general
12 laws of the state, or under any local or special act of the
13 Legislature.

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