

1 HB522  
2 149987-2  
3 By Representatives Ison and Boothe  
4 RFD: Military and Veterans Affairs  
5 First Read: 02-APR-13

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8 SYNOPSIS: Under existing law, any person who is on  
9 active duty, in active reserve status, or retired  
10 from the armed forces of the United States, or the  
11 dependent of such person may have only a limited  
12 quantity of alcoholic beverages purchased from a  
13 military liquor store or in-state liquor stores.

14 This bill would allow a person who is on  
15 active duty, in active reserve status, or retired  
16 from the armed forces of the United States, or the  
17 dependent of such person to have an unlimited  
18 quantity of alcoholic beverages purchased from a  
19 military liquor store or in-state liquor stores.  
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21 A BILL  
22 TO BE ENTITLED  
23 AN ACT  
24

25 To amend Section 28-1-3.1 of the Code of Alabama  
26 1975, relating to the possession of alcoholic beverages  
27 purchased from military liquor stores; to allow a person who

1 is on active duty, in active reserve status, or retired from  
2 the armed forces of the United States, or the dependent of  
3 such person to have an unlimited quantity of alcoholic  
4 beverages purchased from a military liquor store or in-state  
5 liquor stores.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. Section 28-1-3.1 of the Code of Alabama  
8 1975, is amended to read as follows:

9 "§28-1-3.1.

10 "(a) Any person 21 years of age or over who is on  
11 active duty, in active reserve status or retired from the  
12 armed forces of the United States, or the dependent of ~~such~~  
13 the person, or is otherwise eligible to purchase alcoholic  
14 beverages from military package or liquor stores, shall be  
15 entitled to have in his or her possession, in his or her motor  
16 vehicle, or a private residence or place of private residence  
17 or the curtilage thereof in any county in this state, for his  
18 or her own private use and not for resale, ~~not more than the~~  
19 ~~following a reasonable~~ quantity of alcoholic beverages as  
20 defined in Section 28-3-1, which beverages have been sold by a  
21 military liquor, package, Class 6 or similar store or outlet;  
22 ~~three liters of liquor and one case of beer; or three liters~~  
23 ~~of wine and one case of beer; or two cases of beer; provided,~~  
24 ~~however, that no alcoholic beverages shall be kept, stored or~~  
25 ~~possessed in the passenger area of any vehicle, or in the view~~  
26 ~~of any passenger; and further,~~ provided that the beer and  
27 table wine ~~must~~ shall first have been purchased by the

1 military package or liquor stores from licensed Alabama  
2 wholesalers, and liquor ~~must~~ shall first have been purchased  
3 by the military package and liquor stores from the Alabama ABC  
4 Board; and shall have sufficient identification, including,  
5 but not limited, to a sales receipt, to show that ~~such~~ the  
6 alcoholic beverages were purchased in Alabama and sold by ~~such~~  
7 the military store or outlet; provided further that no rule or  
8 regulation of the board shall require a wholesaler to affix  
9 stamps or decals to beer or table wine.

10 "(b) It shall be unlawful for any person in  
11 possession of alcoholic beverages as enumerated in subsection  
12 (a) of this section to sell or offer to sell ~~such~~ the  
13 alcoholic beverages to anyone not authorized to purchase ~~such~~  
14 the state untaxed beverages himself or herself ~~or to have in~~  
15 ~~his possession at any one time any amount of state untaxed~~  
16 ~~alcoholic beverages in excess of the quantity set forth in~~  
17 ~~subsection (a) of this section.~~ Any person violating the  
18 provisions of this section shall be guilty of a misdemeanor  
19 and shall be fined not less than ~~\$50.00~~ fifty dollars (\$50)  
20 nor more than ~~\$500.00~~ five hundred dollars (\$500), or  
21 imprisoned in the county jail for a period not to exceed six  
22 months, either or both, at the discretion of the court."

23 Section 2. This act shall become effective on the  
24 first day of the third month following its passage and  
25 approval by the Governor, or its otherwise becoming law.