

1 HB694
2 147034-3
3 By Representative Grimsley (N & P)
4 RFD: Local Legislation
5 First Read: 02-MAY-13

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Newville in Henry County; to
14 authorize the governing body of the City of Newville to call
15 an election to determine whether alcoholic beverages for
16 off-premises consumption may be sold or dispensed on Sunday
17 after 1:00 p.m.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. (a) The voters of the City of Newville
20 may authorize the sale of alcoholic beverages within the
21 municipality on Sunday by an election pursuant to this act in
22 the following manner:

23 The governing body of the City of Newville, by
24 resolution, may call an election for the municipality to
25 determine the sentiment of the voters of the municipality
26 residing within its corporate limits as to whether or not
27 alcoholic beverages can be legally sold or distributed on

1 Sunday within the municipality for off-premises consumption
2 after 1:00 p.m. or at other times as prescribed by the
3 governing body.

4 (b) On the ballot to be used for such election, the
5 question shall be in the following form: "Do you favor the
6 legal sale and distribution of alcoholic beverages within this
7 municipality on Sunday for off-premises consumption after 1:00
8 p.m. or at other times as prescribed by the governing body?
9 Yes ___ No ___."

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

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

26 (e) Only qualified voters of the municipality may
27 vote in the election. If a majority of the voters voting in

1 the municipal election vote "Yes," alcoholic beverages can be
2 legally sold or dispensed within the corporate limits of the
3 municipality on Sunday by licensees of the Alcoholic Beverage
4 Control Board and the City of Newville serving the general
5 public in accordance with applicable laws and regulations
6 within the municipality for off-premises consumption after
7 1:00 p.m. or at other times as prescribed by the governing
8 body. The municipality, by ordinance, may enact such policies
9 it deems appropriate to regulate any aspect of Sunday
10 alcoholic beverages sales.

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

17 (g) The provisions of this section are cumulative
18 and supplemental to the present power and authority of the
19 City of Newville and is not intended to, nor shall it be
20 interpreted so as to, repeal any existing power or authority
21 of the City of Newville now permitted under the general laws
22 of the state, or under any local or special act of the
23 Legislature.

24 Section 2. This act shall become effective
25 immediately following its passage and approval by the
26 Governor, or its otherwise becoming law.