

1 HB72

2 124324-2

3 By Representatives Clouse and Boothe (N & P)

4 RFD: Local Legislation

5 First Read: 01-MAR-11

9 A BILL
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11 TO BE ENTITLED
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13 AN ACT
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17 Relating to the City of Daleville in Dale County,
18 authorizing the sale of draft or keg beer or malt beverages by
19 properly licensed retail licensees of the Alabama Alcoholic
20 Beverage Control Board and providing for a referendum.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. This act only applies in the corporate
23 limits of the City of Daleville.

24 Section 2. Subject to Section 4, the sale of draft
25 or keg beer or malt beverages for on-premises consumption by
26 retail licensees of the Alabama Alcoholic Beverage Control
27 Board is authorized within the corporate limits of the city.
The sale of draft or keg beer or malt beverages by retail
licensees of the Alabama Alcoholic Beverage Control Board is
authorized within the corporate limits of the city only if
such beverages are sold in kegs.

Section 3. All ordinances relating to the sale, consumption, and possession of bottled or canned beer shall apply to draft or keg beer or malt beverages.

Section 4. The governing body of the city shall hold a referendum to determine if draft or keg beer may be sold for on-premises consumption. If a majority of the voters voting thereon in the municipality vote in favor of the question, then the sale of draft or keg beer for on-premises consumption shall be authorized.

Section 5. The referendum shall be held at the next general, special, or City of Daleville Municipal election. If a majority of the voters voting thereon do not vote in favor of the question, a subsequent referendum or referenda may be held. A second or subsequent referendum shall not be held within 12 months following a referendum which fails to be approved by the voters of the city.

Section 6. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.