

1 HB72  
2 124324-2  
3 By Representatives Clouse and Boothe (N & P)  
4 RFD: Local Legislation  
5 First Read: 01-MAR-11

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the City of Daleville in Dale County,  
authorizing the sale of draft or keg beer or malt beverages by  
properly licensed retail licensees of the Alabama Alcoholic  
Beverage Control Board and providing for a referendum.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

Section 2. Subject to Section 4, the sale of draft  
or keg beer or malt beverages for on-premises consumption by  
retail licensees of the Alabama Alcoholic Beverage Control  
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.

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

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

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

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