

1 HB266  
2 133111-1  
3 By Representatives Melton and Colston (N & P)  
4 RFD: Local Legislation  
5 First Read: 09-FEB-12

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Dallas County; authorizing elections to  
14 determine whether alcoholic beverages may be sold or dispensed  
15 on Sunday by properly licensed retail licensees serving the  
16 general public within the county.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. This act shall apply only in Dallas  
19 County.

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

24 Within 30 days from the effective date of this act,  
25 the Dallas County Commission, by resolution, may call an  
26 election for the county to determine the sentiment of the  
27 voters of the county as to whether or not alcoholic beverages

1 can be legally sold or distributed on Sunday within the  
2 county.

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 dispensing of alcoholic beverages within the  
6 county on Sunday between 12:00 P.M. (noon), and 9:30 P.M., and  
7 on those Sundays on which occurs New Year's Eve (December 31),  
8 after 12:00 P.M. (noon)? Yes \_\_\_\_ No \_\_\_\_."

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

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

25 (e) Only qualified voters of the county may vote in  
26 the election. If a majority of the voters voting in the  
27 election vote "Yes," alcoholic beverages can be legally sold

1 or dispensed within the unincorporated areas of the county on  
2 Sunday by licensees of the Alcoholic Beverage Control Board  
3 and the county serving the general public in accordance with  
4 applicable laws and regulations between the hours of 12:00  
5 P.M., noon, and 9:30 P.M. Except as authorized by law or  
6 during such hours, it shall be unlawful for any licensed  
7 vendor to sell, dispense, or permit the consumption of  
8 alcoholic beverages on Sunday. Provided, that on those Sundays  
9 on which occurs New Year's Eve, December 31, alcoholic  
10 beverages may be sold or dispensed by such licensees pursuant  
11 to applicable laws and regulations any time after 12:00 P.M.,  
12 noon. The county may enact, by ordinance, such policies it  
13 deems appropriate to regulate any aspect of Sunday alcoholic  
14 beverages sales.

15 (f) If a majority of the voters voting in the  
16 election vote "No," alcoholic beverages may not be sold or  
17 dispensed in the unincorporated areas of the county on Sunday  
18 after the hour of 2:00 A.M., except as otherwise authorized by  
19 law or by subsequent election which legalizes the sale and  
20 dispensing of alcoholic beverages on Sunday.

21 Section 3. The provisions of this act are cumulative  
22 and supplemental to the present power and authority of the  
23 county and is not intended to, nor shall it be interpreted so  
24 as to, repeal any existing power or authority of the county  
25 now permitted under the general laws of the state, or under  
26 any local or special act of the Legislature.

1                   Section 4. This act shall become effective  
2       immediately following its passage and approval by the  
3       Governor, or its otherwise becoming law.