

HB448 INTRODUCED



1 U8EUXD-1
2 By Representatives Hulsey, DuBose, Bedsole, Ellis, Paschal (N
3 & P)
4 RFD: Shelby County Legislation
5 First Read: 09-May-23
6
7 2023 Regular Session



A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Helena in Shelby County; to authorize the City Council of the City of Helena to establish and regulate the operation of entertainment districts in the city as designated by the Helena City Code; and to authorize the city council to provide penalties for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act is adopted pursuant to the authority in subdivision (31) of Section 104 of the Constitution of Alabama of 2022.

Section 2. (a) The City Council of the City of Helena by ordinance may provide for the establishment of not more than two entertainment districts in the city, as those districts are defined in the Helena City Code. The entertainment districts may contain one or more Alcoholic Beverage Control Board licensees in an area that does not exceed one-half mile by one-half mile. The ordinance of the city council shall regulate hours of operation of an entertainment district, may provide for the revocation of the entertainment district designation, and may regulate any other aspect of the operation of entertainment districts.



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(b) Any retail licensee of the Alabama Alcoholic Beverage Control Board licensed to sell alcoholic beverages for on-premises consumption located in an entertainment district shall be authorized to obtain an entertainment district permit. Notwithstanding any other provision of law, any licensee that receives an entertainment district permit shall comply with all laws and rules governing its license, except that patrons, guests, or members of the licensee may exit the licensed premises with open containers of alcoholic beverages anywhere within the confines of the entertainment district, but may not enter the premises of another licensee with open containers or closed containers of alcoholic beverages acquired elsewhere. In addition, the ordinance shall prohibit a person other than a retail licensee from possessing or bringing in the entertainment district an open or closed container of alcoholic beverages acquired outside of the entertainment district during the hours of operation of the entertainment district.

(c) The ordinance of the city council shall be enforced by the City of Helena and shall provide penalties for violations of the ordinance as otherwise authorized by law.

Section 3. All laws or parts of laws which conflict with this act are repealed.

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