

HB395 INTRODUCED



1 HB395
2 119KHL3-1
3 By Representative Whitt
4 RFD: Economic Development and Tourism
5 First Read: 05-Feb-26



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4 SYNOPSIS:

5 Under existing law, the Alcoholic Beverage
6 Control Board charges a mark up fee on all wholesale
7 case lot sales of liquor. The mark up can be no more
8 than 16.99 percent of the cost of merchandise plus
9 freight costs.

10 This bill would provide that the term "cost of
11 merchandise" shall only include the amount the board
12 pays for case lots of liquor.

13 This bill would also make nonsubstantive,
14 technical revisions to update the existing code
15 language to current style.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT

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22 Relating to liquor; to amend Section 28-3-53.2, Code of
23 Alabama 1975, to provide greater specificity to what
24 constitutes the mark up fee charged by the board on wholesale
25 case lot sales of liquor.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

27 Section 1. Section 28-3-53.2, Code of Alabama 1975, is
28 amended to read as follows:



29 "§28-3-53.2

30 (a) ~~The word board, wherever used in this section,~~
31 ~~shall mean the Alabama Alcoholic Beverage Control Board~~
32 ~~provided for in Chapter 3, Title 28. The term mark up,~~
33 ~~wherever used in this section shall mean For purposes of this~~
34 ~~section, the term "mark up" means~~ the percentage amount added
35 to cost of merchandise plus freight on ~~spirituous or vinous~~
36 ~~liquors~~ liquor sold by the board, exclusive of taxes
37 ~~heretofore~~ levied under this article with respect ~~thereto~~ to
38 liquor, and the term "cost of merchandise" only includes the
39 amount the board pays for case lots of liquor.

40 (b) The total amount of the additional mark up on cost
41 of merchandise, levied by the ~~Alcoholic Beverage Control Board~~
42 board subsequent to June 30, 1983, shall be designated to the
43 credit of the State General Fund ~~of the state~~.

44 (c) The board shall be prohibited from increasing the
45 mark up on wholesale case lot sales of liquor above 16.99
46 percent of the cost of merchandise plus freight subsequent to
47 December 1, 2004."

48 Section 2. This act shall become effective on October
49 1, 2026.