

1 HB20
2 133886-1
3 By Representatives Buskey and Collins
4 RFD: Economic Development and Tourism
5 First Read: 07-FEB-12
6 PFD: 12/01/2011

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8 SYNOPSIS: Under existing law, there is no retail
9 alcoholic beverage license designated for an
10 entertainment district.

11 This bill would create a new category for
12 existing alcoholic beverage retail licenses, to be
13 designated as entertainment district licenses for
14 such district, available in any Class 1, Class 2,
15 Class 3, Class 4, or Class 5 municipality to be
16 issued by the Alabama Alcoholic Beverage Control
17 Board to address the sale and consumption of
18 alcoholic beverages within the entertainment
19 districts established by such municipalities.

20 This bill would authorize the governing body
21 of the municipality to establish entertainment
22 districts with restrictions as to number and size.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 To create and establish an entertainment district
2 designation for retail alcoholic beverage licenses available
3 in any Class 1, Class 2, Class 3, Class 4, or Class 5
4 municipality to be issued by the Alabama Alcoholic Beverage
5 Control Board permitting and regulating the sale and
6 consumption of alcoholic beverages within entertainment
7 districts established by such municipalities; and to authorize
8 the governing body of the municipality to establish
9 entertainment districts with restrictions as to number and
10 size.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. The provisions of this act shall only
13 apply to Class 1, Class 2, Class 3, Class 4, and Class 5
14 municipalities.

15 Section 2. (a) Upon compliance of the applicant with
16 the provisions of Chapter 3A of Title 28 of the Code of
17 Alabama 1975, and the regulations made thereunder which are
18 not in conflict with the provisions of this act, the Alabama
19 Alcoholic Beverage Control Board may issue an entertainment
20 district designation for any retail license authorized in
21 Chapter 3A which allows the licensee to sell alcoholic
22 beverages for consumption on the licensed premises and which
23 licensed premises is located in an entertainment district
24 established as provided in Section 3. A licensee who receives
25 an entertainment district designation for an on-premises
26 retail license shall comply with all laws, rules, and
27 regulations which govern its license type, except that the

1 patrons, guests, or members of that licensee may exit that
2 licensed premises with open containers of alcoholic beverages
3 and consume alcoholic beverages anywhere within the confines
4 of the entertainment district, which shall be permitted, but
5 may not enter another licensed premises with open containers
6 or closed containers of alcoholic beverages acquired
7 elsewhere.

8 (b) The permission granted by subsection (a)
9 permitting the consumption of alcoholic beverages anywhere
10 within the confines of the entertainment district shall not
11 extend the confines of the licensed premises.

12 Section 3. The governing body of any Class 1, Class
13 2, Class 3, Class 4, or Class 5 municipality may establish not
14 more than two entertainment districts within its corporate
15 limits, each of which must have not fewer than four licensees
16 holding a retail liquor license in that area, and each
17 district may not exceed one-half mile by one-half mile in
18 area, but may be irregularly shaped.

19 Section 4. All laws or parts of laws which conflict
20 with this act are repealed. All general, local, and special
21 laws or parts of such laws insofar as they designate or
22 restrict the boundaries, size, or area of such entertainment
23 districts are hereby repealed.

24 Section 5. This act shall become effective
25 immediately following its passage and approval by the
26 Governor, or its otherwise becoming law.