HB20

133886-1

By Representatives Buskey and Collins

RFD: Economic Development and Tourism

First Read: 07-FEB-12

PFD: 12/01/2011
SYNOPSIS: Under existing law, there is no retail alcoholic beverage license designated for an entertainment district.

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

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

A BILL TO BE ENTITLED

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

Section 2. (a) Upon compliance of the applicant with the provisions of Chapter 3A of Title 28 of the Code of Alabama 1975, and the regulations made thereunder which are not in conflict with the provisions of this act, the Alabama Alcoholic Beverage Control Board may issue an entertainment district designation for any retail license authorized in Chapter 3A which allows the licensee to sell alcoholic beverages for consumption on the licensed premises and which licensed premises is located in an entertainment district established as provided in Section 3. A licensee who receives an entertainment district designation for an on-premises retail license shall comply with all laws, rules, and regulations which govern its license type, except that the
patrons, guests, or members of that licensee may exit that licensed premises with open containers of alcoholic beverages and consume alcoholic beverages anywhere within the confines of the entertainment district, which shall be permitted, but may not enter another licensed premises with open containers or closed containers of alcoholic beverages acquired elsewhere.

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

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

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

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