

1 HB395
2 217962-1
3 By Representative Lovvorn
4 RFD: Economic Development and Tourism
5 First Read: 22-FEB-22

SYNOPSIS: Under existing law, the Alcoholic Beverage Control Board issues various licenses to producers, wholesalers, and retailers of alcoholic beverages.

This bill would create a new type of alcoholic beverage license that would authorize certain public universities that have a hospitality management program to produce, transfer, and sell alcoholic beverages on the licensed premises of the university in furtherance of its academic program.

This bill would also specify the activities authorized under the license and provide for license fees.

A BILL
TO BE ENTITLED
AN ACT

Relating to alcoholic beverages; to create a Hospitality Management Program license issued and regulated by

1 the Alcoholic Beverage Control Board; to specify authorized
2 activities; and to provide for license fees.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) As used in this section, the term
5 state university means a public four-year institution of
6 higher education.

7 (b) Upon compliance by an applicant with this
8 section and Chapter 3A of Title 28, Code of Alabama 1975, and
9 the rules adopted thereunder, the Alcoholic Beverage Control
10 Board may issue a Hospitality Management Program license for
11 any state university that operates a school or college that
12 offers bachelors degrees in Hospitality Management,
13 Hospitality Sciences, Hotel Management, Event Management,
14 Restaurant Management, or Culinary Sciences. A Hospitality
15 Management Program license may be issued to the state
16 university upon whose property the licensed premises is
17 located or to a third party licensee of the board that has
18 contracted with the state university to perform the licensed
19 activities on the premises located on the state university
20 campus.

21 (c) An application for a license under this section
22 must be accompanied by a certificate from the president or
23 equivalent chief executive officer of the state university
24 upon whose property the licensed premises is located.

25 (d) Notwithstanding any provision of Title 28, Code
26 of Alabama 1975, including subdivision (a)(20) of Section
27 28-3A-25 and Section 28-3-4, Code of Alabama 1975, a

1 Hospitality Management Program license authorizes the licensee
2 to do all of the following:

3 (1) Operate distilleries, wineries, breweries, or
4 brewpubs upon the premises of the state university as
5 necessary to effectuate the purpose and mission of the state
6 university and the academic programs described in subsection
7 (b), provided the operations shall be in compliance with state
8 and federal laws, rules, and regulations and the licensee
9 shall be approved and permitted by the Alcohol
10 and Tobacco Tax and Trade Bureau prior to operating. The
11 alcoholic beverages produced by the distilleries, wineries,
12 breweries, or brewpubs may be sold at retail as further
13 described in subdivision (4) or used for teaching purposes.

14 (2) Conduct or support classes, seminars, and labs
15 as deemed necessary on the licensed premises and on adjacent
16 board licensed premises, whether or not operated by the
17 licensee, alone or in support of the state university's
18 academic or other programs, or by other, third-party board
19 retail licensees. The licensee may work in conjunction with
20 personnel of other, third-party licensees of the board and may
21 participate in activities of the state university. Students,
22 interns, or employees shall be considered employees, agents,
23 or servants of the licensees for the determination of
24 liability.

25 (3) Lease an area on the licensed premises to the
26 Alcoholic Beverage Control Board for use, if requested, to
27 facilitate the traffic of alcoholic beverages to other board

1 retail licensees located on the property that participate in
2 the activities of the state university. With approval of the
3 board, the licensee may be permitted to maintain a central
4 storage area for alcoholic beverages produced by the licensee
5 and to transfer and distribute the alcoholic beverages to
6 other areas or operations on the licensed premises or other
7 areas on the state university's campus, but may not leave the
8 campus except as otherwise authorized pursuant to Title 28,
9 Code of Alabama 1975.

10 (4) Purchase other liquor and wine from the board,
11 or as authorized by the board; purchase table wine and beer
12 from any wholesale licensee of the board; and sell liquor,
13 wine, and beer dispensed from containers of any size, to
14 include draft or keg beer, for on-premises consumption or
15 off-premises consumption each day of the week, including
16 Sundays. The sale of alcoholic beverages shall be in
17 furtherance of the educational mission of the state university
18 and the academic programs described in this section, and shall
19 be confined to those buildings, facilities, and grounds that
20 comprise the premises licensed pursuant to this section.

21 (e) A licensee shall maintain Responsible Vendor
22 Program training records.

23 (f) A licensee operating in compliance with this
24 section and any rules adopted by the board thereto shall not
25 be required to obtain any other license of the board under
26 Chapter 3A of Title 28, Code of Alabama 1975.

1 (g) An annual license fee of one thousand dollars
2 (\$1,000) is levied and prescribed for a Hospitality Management
3 Program license issued and renewed by the board pursuant to
4 this section and Chapter 3A of Title 28, Code of Alabama 1975.

5 Section 2. This act shall become effective on the
6 first day of the third month following its passage and
7 approval by the Governor, or its otherwise becoming law.