

1 HB136  
2 125679-2  
3 By Representative Ball  
4 RFD: Economic Development and Tourism  
5 First Read: 03-MAR-11

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Under existing law, there is no specific  
9 provision that allows the sale of alcoholic  
10 beverages on Sunday by a retail business for  
11 on-premises and off-premises consumption located in  
12 the portion of a state park within the corporate  
13 limits of a municipality where a state park lies  
14 and where the sale of alcoholic beverages is  
15 permitted.

16 This bill would allow the sale of alcoholic  
17 beverages on Sunday for on-premises and  
18 off-premises consumption by a retail business  
19 located in the portion of a state park within the  
20 corporate limits of a municipality where the sale  
21 of alcoholic beverages is permitted and which has a  
22 state park in its corporate limits, subject to a  
23 municipal referendum on the subject.

24  
25 A BILL  
26 TO BE ENTITLED  
27 AN ACT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

To allow the sale of alcoholic beverages on Sunday for on-premises and off-premises consumption by a retail business located in the portion of a state park within the corporate limits of a municipality where the sale of alcoholic beverages is permitted, subject to a municipal referendum approval.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the State Park Environmental Protection and Promotion (STEPP) Act .

Section 2. Notwithstanding any provision of law, and subject to referendum approval as provided in this act, alcoholic beverages may be sold on Sunday by properly licensed retail licensees of the Alcoholic Beverage Control Board located in the portion of a state park within the corporate limits of a municipality where the sale of alcoholic beverages is permitted for on-premises and off-premises consumption. Alcoholic beverages shall be sold on Sunday only between the hours of 1:00 p.m. and 9:00 p.m. No licensee under the Alcoholic Beverage Control Board designated as a lounge shall be permitted to serve alcoholic beverages on Sunday. All other licensees may operate under this act.

Section 3. The governing body of each municipality shall hold a referendum to determine if alcoholic beverages may be sold for on-premises and off-premises consumption by a

1 retail business located within the portion of a state park  
2 within its limits.

3 Section 4. A referendum shall be held at a special  
4 election called for that purpose by the municipal governing  
5 body after a petition of support signed by 500 residents of  
6 the municipality. The petition shall be signed by each  
7 resident with his or her address and phone number listed  
8 therein. The petition shall be presented to the mayor and  
9 council of the municipality with a request to hold the  
10 referendum on this act. At this point and only at this point  
11 may the referendum be held. Costs of the referendum shall be  
12 paid by the municipality. A second or subsequent referendum  
13 shall not be held within 12 months following a referendum  
14 which fails to be approved by the voters of the municipality.

15 Section 5. All revenues created by the passage of  
16 this bill shall be allocated by local act of the Legislature  
17 provided that 25 percent of all revenues created shall be set  
18 aside in a fund for the promotion and advancement of the state  
19 parks in the city limits of the municipality. This fund shall  
20 be called the State Parks Protection and Development Trust  
21 Fund. There shall be a board created and appointed by the  
22 local legislative delegation to operate the trust fund. Until  
23 the effective date of this act, the municipality in which the  
24 park lies shall hold the tax collected pursuant to this bill  
25 in trust.

1                   Section 6. This act shall become effective  
2 immediately following its passage and approval by the  
3 Governor, or its otherwise becoming law.