

1 SB465  
2 156954-2  
3 By Senator Fielding (N & P)  
4 RFD: Local Legislation No. 1  
5 First Read: 18-MAR-14

1 SB465

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to the City of Tallassee in Elmore and  
8 Tallapoosa Counties; to authorize elections to determine  
9 whether alcoholic beverages may be sold on Sunday for  
10 off-premises consumption by properly licensed retail licensees  
11 serving the general public within the city.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. This act shall apply only to the City of  
14 Tallassee in Elmore and Tallapoosa Counties.

15 Section 2. (a) The voters of the City of Tallassee  
16 may authorize the sale of alcoholic beverages for off-premises  
17 consumption within the municipality on Sunday between the  
18 hours of 1:00 p.m. and midnight by an election pursuant to  
19 this act, in the following manner:

20 The governing body of the City of Tallassee, by  
21 resolution, shall hold a referendum at the next general  
22 election in the city to determine if alcoholic beverages may  
23 be sold within the municipality for off-premises consumption.

24 (b) On the ballot to be used for such election, the  
25 question shall be in the following form: "Do you favor the

1 legal sale of alcoholic beverages within this municipality for  
2 off-premises consumption on Sunday between the hours of 1:00  
3 p.m. and midnight? Yes \_\_\_ No \_\_\_."

4 (c) The first election and any subsequent elections  
5 shall be held and the officers appointed to hold the election  
6 in the manner provided by law for holding other elections and  
7 the returns thereof tabulated and results certified as  
8 provided by law for elections.

9 (d) Notice of the election shall be given by the  
10 governing body of the municipality by publication or by  
11 posting the notice at the town or city hall apprising the  
12 voters of the municipality, at least three weeks before the  
13 date of the election, that an election shall be held to  
14 determine whether alcoholic beverages may be sold in the  
15 municipality on Sunday between 1:00 p.m. and midnight. The  
16 cost of the election shall be paid out of the general fund of  
17 the municipality.

18 (e) Only qualified voters of the municipality may  
19 vote in the election. If a majority of the voters voting in  
20 the municipal election vote "Yes," alcoholic beverages can be  
21 legally sold or dispensed within the corporate limits of the  
22 municipality for off-premises consumption on Sunday between  
23 1:00 p.m. and midnight by licensees of the Alcoholic Beverage  
24 Control Board and the City of Tallassee serving the general  
25 public in accordance with applicable laws and regulations. The

1 municipality may enact, by ordinance, such policies it deems  
2 appropriate to regulate any aspect of Sunday alcoholic  
3 beverages sales.

4 (f) If a majority of the voters voting in the  
5 municipal election vote "No," alcoholic beverages may not be  
6 sold or dispensed in the municipality on Sunday after the hour  
7 of 2:00 a.m., except as otherwise authorized by law or by  
8 subsequent election which legalizes the sale and dispensing of  
9 alcoholic beverages on Sunday.

10 (g) A period of not less than one year shall elapse  
11 between the dates of elections pursuant to this act.

12 Section 3. The provisions of this act are cumulative  
13 and supplemental to the present power and authority of the  
14 City of Tallassee and is not intended to repeal, nor shall it  
15 be interpreted so as to repeal, any existing power or  
16 authority of the City of Tallassee now permitted under the  
17 general laws of the state, or under any local or special act  
18 of the Legislature.

19 Section 4. This act shall become effective  
20 immediately following its passage and approval by the  
21 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB465

Senate 20-MAR-14

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris  
Secretary

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House of Representatives  
Passed: 02-APR-14

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By: Senator Fielding