

1 HB493  
2 196927-2  
3 By Representative Greer (N & P)  
4 RFD: Local Legislation  
5 First Read: 23-APR-19

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ENROLLED, An Act,

Relating to the Town of Lexington located in Lauderdale County; authorizing the sale of alcoholic beverages and draft beer in the town limits and police jurisdiction of the Town of Lexington each day of the week except on Sundays by properly licensed clubs and retail licensees of the Alcoholic Beverage Control Board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The voters of the Town of Lexington may authorize the sale of alcoholic beverages and draft beer for on-premises and off-premises consumption within the town each day of the week except Sunday by an election pursuant to this act, in the following manner:

(1) The governing body of the town, by resolution, shall call an election to determine the sentiment of the voters of the town residing within the corporate limits, as to whether or not it may determine whether alcoholic beverages and draft beer can be legally sold or distributed each day of the week except on Sunday for on-premises and off-premises consumption within the town.

(2) On the ballot to be used for such election, the question shall be in the following form: "Do you favor the legal sale and distribution of alcoholic beverages and draft beer for on-premises and off-premises consumption within the

1 corporate limits of the Town of Lexington each day of the week  
2 except Sunday? Yes \_\_\_\_ No \_\_\_\_."

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

9 (4) Notice of the election shall be given by the  
10 governing body of the town by publication or by posting the  
11 notice at the town or city hall apprising the voters of the  
12 town, at least three weeks before the date of the election,  
13 that an election shall be held to determine whether alcoholic  
14 beverages and draft beer may be sold each day of the week  
15 except on Sunday in the town. The cost of the election shall  
16 be paid out of the general fund of the town.

17 (5) Only the qualified voters of the town may vote  
18 in the election. If a majority of the voters voting in the  
19 municipal election vote "Yes," alcoholic beverages and draft  
20 beer may be legally sold or dispensed within the corporate  
21 limits of the town for on-premises and off-premises  
22 consumption each day of the week except Sunday by licensees of  
23 the Alcoholic Beverage Control Board and the Town of Lexington  
24 serving the general public in accordance with applicable laws  
25 and regulations. The town may enact, by ordinance, such

1 policies it deems appropriate to regulate any aspect of the  
2 sale of alcoholic beverages and draft beer may be sold each  
3 day of the week except on Sunday.

4 (6) If a majority of the voters voting in the  
5 municipal election vote "No," alcoholic beverages and draft  
6 beer may not be sold or dispensed in the town, except as  
7 otherwise authorized by law or by subsequent election which  
8 legalizes the sale and dispensing of alcoholic beverages and  
9 draft beer.

10 (7) A period of not less than 360 days shall elapse  
11 between the dates of elections pursuant to this act.

12 Section 2. The provisions of this act are cumulative  
13 and supplemental to the present power and authority of the  
14 Town of Lexington and is not intended to, nor shall it be  
15 interpreted so as to, repeal any existing power or authority  
16 of the Town of Lexington now permitted under the general laws  
17 of the state, or under any local or special act of the  
18 Legislature.

19 Section 3. This act shall become effective  
20 immediately following its passage and approval by the  
21 Governor, or its otherwise becoming law.

