

1 HB570  
2 139323-2  
3 By Representative McCampbell (N & P)  
4 RFD: Local Legislation  
5 First Read: 20-MAR-12

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ENROLLED, An Act,

Relating to the City of York in Sumter County,  
authorizing elections to determine whether alcoholic beverages  
may be sold or dispensed on Sunday by properly licensed retail  
licensees serving the general public within the city.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall apply only to the City of  
York in Sumter County.

Section 2. (a) The voters of the City of York may  
authorize the sale of alcoholic beverages within the  
municipality on Sunday by an election pursuant to this act, in  
the following manner:

Within 30 days from the effective date of this act,  
the governing body of the City of York, by resolution, may  
call an election for the municipality to determine the  
sentiment of the voters of the municipality residing within  
the corporate limits as to whether or not alcoholic beverages  
can be legally sold or distributed on Sunday within the  
municipality.

(b) On the ballot to be used such election. the  
question shall be the following form:

"Do you favor the legal sale and distribution of  
alcoholic beverages within this municipality, on Sunday  
between 1:00 P.M. and 10:30 P.M., and on those Sundays on

1 which occurs New Year's Eve (December 31), after 12:00 P.M.  
2 (noon)? Yes \_\_\_ No \_\_\_ "

3 (c) The first election and any subsequent elections  
4 shall be held and the officers appointed to hold the election  
5 in the manner provided by law for holding other municipal  
6 elections, and the returns thereof shall be tabulated and  
7 results certified as provided by law for municipal elections.  
8 Any Sunday sales election shall be held as provided in this  
9 act as a special election or any subsequent municipal election  
10 following the date of the resolution.

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

19 (e) Only qualified voters of the municipality may  
20 vote in the election. If a majority of the voters voting in  
21 the municipal election vote "Yes," alcoholic beverages can be  
22 legally sold or dispensed within the corporate limits of the  
23 municipality on Sunday by licensees of the Alcoholic Beverage  
24 Control Board and the City of York serving the general public  
25 in accordance with applicable laws and regulations between the

1 hours of 1:00 P.M. and 10:30 P.M. Except as authorized by law  
2 or during such hours, it shall be unlawful for any licensed  
3 vendor to sell, dispense or permit the consumption of  
4 alcoholic beverages on Sunday. Provided, that on those Sundays  
5 on which occurs New Year's Eve, December 31, alcoholic  
6 beverages may be sold or dispensed by such licensees pursuant  
7 to applicable laws and regulations any time after 12:00 P.M.  
8 (noon). The municipality may enact, by ordinance, such  
9 policies it deems appropriate to regulate any aspect of Sunday  
10 alcoholic beverage sales.

11 (f) If a majority of the voters voting in the  
12 municipal election vote "No," alcoholic beverages may not be  
13 sold or dispensed in the municipality on Sunday after the hour  
14 of 2:00 A.M., except as otherwise authorized by law or by  
15 subsequent election which legalizes the sale and dispensing of  
16 alcoholic beverages on Sunday.

17 Section 3. The provisions of this act are cumulative  
18 and supplemental to the present power and authority of the  
19 City of York and are not intended to, nor shall they be  
20 interpreted so as to, repeal any existing power or authority  
21 of the City of York now permitted under the general laws of  
22 the state, or under any local or special act of Legislature.

23 Section 4. This act shall become effective  
24 immediately following its passage and approval by the  
25 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 03-APR-12.

Greg Pappas  
Clerk

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Senate

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19-APR-12

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Passed