ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD
ADMINISTRATIVE CODE

CHAPTER 20-X-33
LICENSURE OF CONSUMABLE HEMP PRODUCTS

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20-X-33-.01 Consumable Hemp Product License Types.

Consumable Hemp Products will be sold under three separate and distinct license types as follows:

(1) Specialty Retailer of Consumable Hemp Products License

(2) Pharmacy Consumable Hemp Products License

(3) Retail Food Store Consumable Hemp Products License

Author: ABC Board
Statutory Authority: Code of Ala. 1975, §§28-12-3; 28-12-45
History: New Rule: Published October 31, 2025; effective December 15, 2025, operative January 1, 2026.

20-X-33-.02 Information Required from Applicants for Consumable Hemp Products Licenses.

(1) Every applicant for an ABC Board license, in addition to information and statements required under Title 28, Code of Alabama 1975, shall also give the ABC Board, as part of the application, the following:

(a) An approval letter from the local governing body of the county or municipality in which the applicant's facility will be located.

(b) The name, date of birth, place of birth, address, telephone number, driver's license number, and social security number of every person who has a ten percent or greater proprietary or profit interest in the licensed establishment, except in the

case of public corporations, whose shares are traded on a recognized stock exchange.

(c) Pursuant to 28-12-40(d)(2) and 31-13-7, Code of Alabama, 1975, proof that every person who has a proprietary or profit interest of ten percent or more in the licensed establishment, except in the case of public corporations whose shares are traded on a recognized stock exchange, is lawfully present in the United States and is otherwise qualified to receive a license.

(d) The true, correct, and complete criminal court record of all arrests and subsequent dispositions for the past ten years of the applicant and any other person having a proprietary or profit interest of 10 percent or more therein; and in the case of corporations, clubs and associations, of each officer and/or member of the board of directors of such corporation, club, or association. Minor vehicular offenses may be omitted; however, driving while under the influence and reckless driving cases shall be disclosed. In giving such information, there shall be included the name of the court(s) and the disposition of each matter. The information, as provided and verified, will be used to consider each application. ABC may require additional information on offenses that are over ten years old as it deems necessary.

(e) Proof of a surety bond in the amount of $25,000. This documentation shall be provided each year at renewal.

(f) Any individual applicant shall certify to the correctness, truthfulness and completeness of the application. In the case of applications by corporations, clubs, and associations, the person(s) making such application shall certify to the correctness, truthfulness and completeness of the application and shall provide the ABC Board with their authority to offer such application.

(g) As a privilege of holding an ABC license or permit, the applicant/licensee, shall at all times, allow authorized personnel of the ABC Board or commissioned law enforcement officers of the state, county, or municipality in which the licensed establishment is located, to enter and search, without a warrant, the licensed premises or any building owned or occupied by the licensee in connection therewith, adjoining, adjacent to, or part of the curtilage thereof, whether used as a private dwelling or not, at any time.

(h) Upon request, the applicant shall provide evidence of primary source of funds, whether owned or borrowed, to be applied in the establishment or acquisition of the business.

(i) Evidence of ownership, lawful possession, or lease of the real property where the applicant's business will be located, as follows:

1. If applicant owns the property, a copy of the recorded deed as evidence of ownership.

2. If applicant has a contract to purchase the property, a copy of the recorded sales contract.

3. If applicant has obtained lawful possession or a use agreement for use of the property, evidence thereof must be provided and approved by the ABC Board.

4. If applicant is leasing the property, a copy of the lease agreement.

(j) The ABC Board or its personnel may require additional information from the applicant.

(2) Licenses shall be granted and issued by the board only to reputable individuals, to associations whose members are reputable individuals, or to reputable corporations organized under the laws of this state or duly qualified thereunder to do business in Alabama and then only when it appears that all officers and directors of the corporation are reputable individuals.

(3) In the event any false, incorrect, or incomplete information or statements are found on an application for a license, the license is subject to denial, revocation, or other disciplinary action by the ABC Board, at its discretion, and no waiver, estoppel, or laches will run against the State of Alabama, or the ABC Board, in connection with any false, incorrect, or incomplete information or statements made by an applicant on an application.

(4) It shall be the prerogative of the ABC Board as part of the license application procedure to verify the truthfulness and veracity of all information contained within a license application. Verification may include, but not be limited to, personal interviews and community comment, as well as a current criminal background information analysis/check. The ABC Board may consider a current criminal background information analysis/check to be one that has been generated within two years of the licensee's current application period.

(5) Any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

Author: ABC Board

Statutory Authority: Code of Ala. 1975, §§28-3-2; 28-3A-23; 28-12-3; 28-12-40; 31-13-7.
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20-X-33-.03 Operation of a Consumable Hemp Products Licensed Premises.

(1) A holder of a Specialty Retailer of Consumable Hemp Products License:

(a) May sell all consumable hemp products as defined in 28-12-2(5)

(b) Shall currently hold a Lounge Retail Liquor (Class II) license or sell only consumable hemp products.

(c) Shall restrict the licensed premises to those 21 years of age or older. The age restriction placed on this licensed premises shall include employees.

(d) Shall post a sign no less than 8½ by 11 inches which shall read: "It is illegal for anyone under 21 years of age to enter this licensed location". The sign shall have letters no less than two inches in height and shall be posted on or inside the door and shall be easily visible to the public prior to entering the location.

(e) Shall be restricted to sales for off-premises consumption only.

(f) Shall be required to maintain a minimum of 500 square feet of sales and service area. The 500 square feet of sales and service area shall not include any areas that are not open to customers or used for the sale or displaying of products allowed under a Specialty Retailer of Consumable Hemp Products license and/or a Lounge Retail Liquor (Class II) license, such as office space or storage.

(2) A holder of a Pharmacy Consumable Hemp Products License:

(a) May sell topical and sublingual products in a pharmacy licensed by the Alabama Board of Pharmacy and the ABC Board.

(b) Shall place all topical and sublingual consumable hemp products in an area that is not accessible to the general public.

(c) May only allow sales of hemp products by a licensed pharmacist or by a pharmacy technician or employee under the direct supervision and control of a licensed pharmacist.

(d) May employ an individual under 21 years of age to sell hemp products under the supervision of a licensed pharmacist, provided the licensee is certified in the Responsible Vendor Program.

(3) A holder of a Retail Food Store Consumable Hemp Products License:

(a) May sell consumable hemp beverages.

(b) Shall place all consumable hemp beverages behind glass or a clear plastic, acrylic material, similar in function to glass, if otherwise appropriate while meeting health, safety, or industry standards, in an area dedicated only to consumable hemp beverages. Consumable hemp beverages shall not be visible from an area that contains products intended to be sold for children.

(c) Shall post sign that is 8½ by 11 inches, with font no smaller than 2 inches on the glass. The sign shall state: "These products contain hemp derived compounds. Must be 21 years of age or older to purchase."

(4) All records and receipts for purchases of consumable hemp products by a consumable hemp products licensee, as described in 28-12-43, including certificates of analysis, shall be retained for a period of three (3) years from the date of purchase. These records may be maintained using an electronic method, provided that the records shall be immediately transferrable upon request by an ABC employee. All records, whether maintained electronically or physically located on the premises, shall be immediately available upon request by an ABC employee.

(5) Anyone licensed or permitted under this title shall not refuse entry to the licensed premises, including any locked areas of the licensed premises, to ABC personnel or law enforcement, nor shall they refuse to allow an audit or inspection or fail to provide any required records.

(6) No person licensed by the board to sell consumable hemp products, employee or agent thereof, may consume consumable hemp products on the licensed premises. No ABC Board consumable hemp product licensee, employee, or agent thereof shall have any consumable hemp products on the licensed premises that are not for sale.

(7) No person licensed by the board to sell consumable hemp products, an employee or agent thereof, shall sell or provide any person consumable hemp products if such person appears, considering the totality of the circumstances, to be under the influence of alcohol or any substance which impairs their mental or physical faculties.

Author: ABC Board

Statutory Authority: Code of Ala. 1975, §§28-12-3; 28-12-40; 28-12-43; 28-12-45; 28-12-46.
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