

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 20
Department or Agency: Alabama Alcoholic Beverage Control Board
Rule No.: 20-X-6-.04
Rule Title: Sale Of Alcoholic Beverages By Retail Licensees
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Curtis E. Stewart
Curtis Stewart

Date

Friday, May 8, 2026

REC'D & FILED
MAY 8, 2026
LEGISLATIVE SVC AGENCY

ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Alcoholic Beverage Control Board

RULE NO. & TITLE: 20-X-6-.04 Sale Of Alcoholic Beverages By Retail Licensees

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Rule 20-X-6-.04 is being amended to allow the holder of an ABC retail license to make limited, emergency purchases on Saturday to accommodate for weekend sales.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Interested persons may present their views in writing to:
Administrative Procedures Secretary, Dana Barlow
2715 Gunter Park Drive, West
Montgomery, AL 36109
Or email: legal@abc.alabama.gov

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, July 3, 2026

CONTACT PERSON AT AGENCY:

Dana Barlow (334) 260-5442
2715 Gunter Park Drive, West
Montgomery, AL 36109
Or email: legal@abc.alabama.gov

Curtis E. Stewart

Curtis Stewart

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

(1) All ABC Board retail liquor licensees may dispense liquor, with and/or table wine from any size container purchased from ABC Board wholesale stores or as otherwise authorized by the ABC Board.

(2) The quantity of liquor served in an individual drink shall be posted within the licensed premises in a conspicuous place on or behind the service area and on any food or beverage menu. The posted notice, except in food or beverage menus, shall be no less than 8.5" x 11" and shall read, "All drinks contain ___ ounces of liquor, unless special ordered." Letters shall be no less than two (2) inches in height.

(3) No ABC Board retail liquor licensee shall at any time, have more than one (1) bottle of alcoholic beverages open for use at any serving station. Provided however, the licensees may dispense such beverages from a pre-mix dispenser in accordance with ABC Board Regulation 20-X-6-.05 or from an automatic dispensing system.

(4) (a) All purchases by ABC Board retail licensees of any alcoholic beverages containing distilled spirits, except those products defined as table wine in 20-X-2, shall be made only from an ABC Board wholesale store. All receipts for purchases of alcoholic beverages by retail licensees shall be retained for a period of three (3) years from the date of purchase. At a minimum, one (1) year of receipts shall be maintained on the licensee's premises and immediately available upon request. After which such records may be maintained at a central location of the licensee within the State of Alabama and available for inspection within a reasonable period of time by ABC Board personnel or any other authorized individual. These records may be maintained using an electronic method, provided that the records may be immediately transferrable upon request by an ABC employee.

(b) Notwithstanding the above, any person holding a valid ABC retail license for on-premises sales is authorized by the board to make limited Saturday purchases from ABC retail stores. This exception is made to allow emergency purchases necessary to accommodate on-premises licensees for weekend sales. These Saturday sales shall be limited to the following:

(i) No product with limited allocation may be purchased.

(ii) No ABC Barrel Picks may be purchased.

(iii) No quantities of alcoholic beverages equaling a full case or more of the same product may be purchased. If

available supply is limited, ABC store employees may further reduce the amount available to be purchased by these ABC retail licensees.

(c) Any licensee purchasing from ABC retail pursuant to this section must retain said receipt and maintain that receipt in the same manner as required for all wholesale alcoholic beverage purchases. All purchases must comply with all laws and regulations of the State of Alabama. Any Saturday purchases made after notification of a block on the license is made to the licensee or an agent thereof will be considered a violation of this section and may result in disciplinary action up to and including suspension or revocation of the license. Illegally purchased product will be considered contraband and may be seized by agents of the board.

(d) Nothing in this section lessens the requirement that licensees purchase only from ABC Wholesale for all purchases made at all other times other than as allowed by (4) (b) and that receipts from all purchases be maintained by the licensee as required by the Board.

(5) An ABC Board retail licensee shall not sell to any person or other licensee for purposes of resale, nor shall such licensee purchase or attempt to purchase alcoholic beverages from another ABC Board retail licensee.

(6) All ABC Board retail licensed premises shall be adequately lighted for purposes of observing the operation thereof or patrons therein.

Author: ABC Board

Statutory Authority: Code of Ala. 1975, §28-3-49.

History: Repealed and New: Filed August 21, 1998; effective October 16, 1998. **Amended:** Filed October 5, 2004; effective November 9, 2004. **Amended:** Published August 31, 2021; effective October 15, 2021. **Amended:** Published ; effective .