ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD
ADMINISTRATIVE CODE

CHAPTER 20-X-5
LICENSING

20-X-5-.10 License Transfer.

(1) Any alcoholic beverage license may be transferred once in any license year from one location to another, within the same governing jurisdiction, upon approval by the ABC Board. Any alcoholic beverage license may also be transferred once in any license year from one licensee to another person, corporation or association for that particular location, upon approval by the ABC Board.

(2) Before a license may be transferred from one licensee to another person, a transferee must:

(a) Be qualified to receive an original license.

(b) Pay a non-refundable filing fee of $50.00 to the ABC Board.

(c) File a transfer application, as if applying for an original license, within twenty (20) days after the transferee assumes control of the licensed premises; if alcoholic beverages are possessed or sold at said location, the original licensee shall continue to be responsible for the conduct and operation of this aspect of the business until the ABC Board approves said transfer and issues the appropriate license.

(d) Complete the transfer application process and secure any necessary local governing authority approval, within sixty (60) days after notification to the ABC Board of said intent to transfer.

(3) Upon failure of a transferee to submit a completed application in a timely manner as provided herein, the transfer application will be deemed void and the original licensee shall either resume control and operation of the licensed premises within five days thereafter or the license shall then be void.

(4) It shall be the responsibility of a transferor to remain apprised of all activity associated with a transfer application.

(5) A license shall not be transferred if:

(a) The ABC Board has denied or refused to renew a license to the transferee, if said action was based in part on the

transferee's qualifications, conduct, or fault within the last five (5) calendar years.

(b) The ABC Board has suspended any license held by the transferee, or imposed fines against the transferee in a cumulative amount of $1,000.00 or more, within the last three (3) calendar years.

(c) A transferor or transferee is the subject of:

(i) A pending criminal action,

(ii) A pending disciplinary action,

(iii) A pending audit by the ABC Board, or

(iv) A license renewal protest before the ABC Board or any court of competent jurisdiction.

(d) A third party has made application for a license at the proposed location for which the transfer is sought and which is still pending.

(e) Taxes, fines, or license fees are currently due and payable on the transferor's license.

(f) Prior to approval of the transfer, the transferor withdraws consent to transfer or fails to timely renew the license.

(6) An application for a location transfer will not be accepted if there is pending, an existing application for an ownership transfer, nor will an application for an ownership transfer be accepted if there is pending, an existing application for a location transfer.

(7) The ABC Board may exercise its broad discretion in granting or denying any license transfer application.

(8) For purposes of this regulation, the term ABC Board shall include the ABC Board Hearing Commission.

Author: ABC Board
Statutory Authority: Code of Ala. 1975, §§28-3-49; 28-3A-23(j)(k).
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