

ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD  
ADMINISTRATIVE CODE

CHAPTER 20-X-27  
~~OPERATION OF~~ PERMITTED PREMISES AND PRODUCTS

TABLE OF CONTENTS

20-X-27-.01	Permitted Premises
<u>20-X-27-.02</u>	<u>Products Allowed</u>

20-X-27-.01      Permitted Premises.

(1) All ABC permittees shall display their current ABC permits in public view on the permitted premises.

(2) Any permitted location selling e-liquids, electronic nicotine delivery systems and/or alternative nicotine products shall not have any banners, signs or flashing lights of any kind visible to the public from outside of the business advertising that the business sells e-liquids, electronic nicotine delivery systems or alternative nicotine products, including any depiction or representation of any such products.

(3) Any licensed location that sells alcoholic beverages may add a Specialty Retailer of Electronic Nicotine Delivery Systems Permit provided that the entire licensed and permitted premises shall be restricted to patrons 21 years of age or older. Any violation of this rule will be a violation of 28-11-7.1(d).

(4) Any location permitted as a Specialty Retailer of Electronic Nicotine Delivery Systems shall:

(a) Post a sign no less than 8 ½" by 11" which shall read: "It is illegal for anyone under 21 years of age to enter this permitted 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.

(b) Utilize an ABC Board approved third-party scanning software to ensure that no one under twenty-one (21) years of age is within the establishment. All patrons must have their driver license or non-driver identification card scanned as a condition of entry into the establishment. The third-party scanning software shall have the ability to scan state-issued driver license or non-driver identification card.



1. The third-party scanning software shall not sell nor retain a patron's personal data but shall retain data indicating that a scan was conducted and the results of said scan.

2. All applicants for a Specialty Retailer of Electronic Nicotine Delivery Systems permit shall submit on a form provided by the ABC Board, detailed information regarding the operation of the third-party scanning software to be utilized. The Board may require any additional information it deems necessary.

3. The third-party scanning software shall not release a permit holder from liability for allowing a minor to enter the location or for selling, furnishing, or giving an age restricted item to a minor.

**Author:** ABC Board

**Statutory Authority:** Code of Ala. 1975, §§28-3-2; 28-3-19; 28-3-49; 28-3A-23; 28-3A-25; 28-11-1; 28-11-4; 28-11-7.1(c)(2); 28-11-7.1(d); 28-11-16(e); Section 4 of ACT 2025-403.

**History: New Rule:** Filed May 2, 2001; effective June 6, 2001. \_\_

**Amended:** Published \_\_\_\_\_; effective \_\_\_\_\_.

## 20-X-27-.02      Products Allowed.

Pursuant to 28-11-17.1, e-liquids, electronic nicotine delivery systems in conjunction with e-liquid, or alternative nicotine products shall not be sold in the State of Alabama without being listed on the Department of Revenue's Electronic Nicotine Delivery Systems Directory. Tobacco and Specialty Retailer of Electronic Nicotine Delivery Systems Permittees may sell products listed on the Department of Revenue's Electronic Nicotine Delivery Systems Directory, provided that the products do not violate any state or federal law, including but not limited to, 28-11-16(d). None of the foregoing in any way limits the authority of the board to establish requirements relating to the sale, distribution, possession, information reporting to the State, exposure to, access to, the advertising and promotion of, or use of, these products by individuals of any age, or relating to fire safety standards for these products or for any reason contemplated by Federal or State law or rule including but not limited to 21 United States Code § 387p(a)(2)(B).

**Author:** ABC Board

**Statutory Authority:** 28-3-49; 28-11-7.1(d); 28-11-7.2(b)(2); Section 4 of ACT 2025-403.

**History: New Rule:** Published \_\_\_\_\_; effective \_\_\_\_\_.