

1 State of Arkansas *As Engrossed: S3/8/17 H3/27/17*

2 91st General Assembly

# A Bill

3 Regular Session, 2017

SENATE BILL 508

4

5 By: Senator Irvin

6 *By: Representative Capp*

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## For An Act To Be Entitled

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AN ACT TO AMEND THE LAW REGARDING ARKANSAS

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DISTILLERIES; TO AUTHORIZE ON-PREMISES SALES BY THE

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*DRINK; TO DECLARE AN EMERGENCY; AND FOR OTHER*

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PURPOSES.

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## Subtitle

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TO AMEND THE LAW REGARDING ARKANSAS

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DISTILLERIES; TO AUTHORIZE ON-PREMISES

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*SALES BY THE DRINK; AND TO DECLARE AN*

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EMERGENCY.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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SECTION 1. Arkansas Code § 3-4-602(g), concerning alcoholic beverage permits for distillers or manufacturers, is amended to read as follows:

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(g) Under rules adopted by the director, a distiller or manufacturer may:

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(1) Sell, deliver, or transport to wholesalers;

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(2) Sell, deliver, or transport to rectifiers;

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(3) Export out of the state; ~~and~~

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(4) Sell for off-premises consumption spirituous liquors the

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distiller or manufacturer manufactures on any day of the week;

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(5) Serve on the premises complimentary samples of liquors

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produced by the distiller or manufacturer;

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(6) Sell at retail, by the drink or by the package, spirituous

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liquors produced on the premises of the distillery if all sales occur in a



1 wet territory; and

2 (7) Sell for consumption on the premises of the manufacturer:

3 (A) Liquors produced by the manufacturer or liquors which  
4 the manufacturer may purchase from wholesalers licensed by the state;

5 (B) Wine;

6 (C) Beer; and

7 (D) Malt Liquor.

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9 SECTION 2. Arkansas Code § 3-4-602, concerning alcoholic beverage  
10 permits for distillers or manufacturers, is amended to add additional  
11 subsections to read as follows:

12 (i) Liquors may be sold for on-premises sale or off-premises sale, or  
13 both, for consumption during all legal operating hours in which business is  
14 normally and legally conducted on the premises, if:

15 (1) The manufacturer provides tours through its facility; and

16 (2) Only sealed containers are removed from the premises.

17 (j)(1) A manufacturer may provide liquor it manufactures to charitable  
18 or nonprofit organizations or sell for resale liquor it manufactures to  
19 charitable or nonprofit organizations holding valid special event permits  
20 issued by the Alcoholic Beverage Control Board.

21 (2) The sale of products under subdivision (j)(1) of this  
22 section is limited to the duration of the particular special event.

23 (k)(1) If approved by the Alcoholic Beverage Control Division and if  
24 the division receives written notice at least five (5) days before the event,  
25 the division may authorize a distiller to conduct a spirituous liquor tasting  
26 event for educational or promotional purposes at any location in a wet area  
27 of this state.

28 (2)(A) Before an authorization is issued under subdivision  
29 (k)(1) of this section, the division shall receive written notice of the  
30 spirituous liquor tasting event at least two (2) weeks before the event.

31 (B) A spirituous liquor tasting event may be held under  
32 this subdivision (k)(2) in any facility licensed by the division in a wet  
33 area of this state.

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35 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
36 General Assembly of the State of Arkansas that this act is essential to the

1 public interest and operation of the alcohol laws in the State of Arkansas;  
2 that this act eliminates conflicting language and allows consistent  
3 application of alcohol laws; that this act is immediately necessary due to  
4 the substantial growth and continued expansion of the distilling industry in  
5 Arkansas; that clear and consistent application of the law to the distilling  
6 industry is in the public's immediate interest as is controlling the  
7 distribution of alcoholic beverages within the state. Therefore, an  
8 emergency is declared to exist, and this act being immediately necessary for  
9 the preservation of the public peace, health, and safety shall become  
10 effective on:

11 (1) The date of its approval by the Governor;

12 (2) If the bill is neither approved nor vetoed by the Governor,  
13 the expiration of the period of time during which the Governor may veto the  
14 bill; or

15 (3) If the bill is vetoed by the Governor and the veto is  
16 overridden, the date the last house overrides the veto.

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18 */s/ Irvin*

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21 **APPROVED: 04/07/2017**  
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