

AMENDMENT SUMMARY: The proposed amendment clarifies private club advertising to allowing for viewing of consumption of alcohol. This proposed Amendment is in response to Act 801 of the 2023 Regular Session of the Arkansas General Assembly.

***5.55 Advertising the Availability of Alcoholic Beverages to the Public by a Private Club in a Dry Area.***

*Private clubs in any area of the state where the sale of alcoholic beverages is prohibited by law (“dry” area) are prohibited from using the advertising media, including any signs or trade names on the exterior of the club building, to promote the consumption and use of alcoholic beverages within the club. The use of terms such as “happy hour”, or any other term or brand name that generally identifies any brand or mixture of alcoholic beverages, is included in this prohibition. This prohibition does not require a private club to block visibility through the private club’s windows or doors to prevent the general public from viewing patrons consuming alcoholic beverages, including without limitation through the use of window tinting.*

*No private club, located in either a “wet or dry” area of the state, may advertise or use any part of the advertising media to announce social functions of general interest to the membership, entertainment, or other similar activities within the confines of the club property, without preceding such advertisement or announcement with the words “Notice to Members” or “Attention Members” prominently displayed, and the name of the club or organization sponsoring such social activities. (Amended 8-21-13)*

**RECEIVED  
AUG 6 2024  
BLR**

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

As Engrossed: S3/29/23

# A Bill

HOUSE BILL 1177

5 By: Representative L. Johnson  
6 By: Senator B. Davis  
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## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING ALCOHOLIC  
10 BEVERAGES; TO CLARIFY THE LAW REGARDING PRIVATE CLUB  
11 ADVERTISING; AND FOR OTHER PURPOSES.  
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### Subtitle

15 TO AMEND THE LAW REGARDING ALCOHOLIC  
16 BEVERAGES TO CLARIFY THE LAW ON PRIVATE  
17 CLUB ADVERTISING.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Arkansas Code § 3-9-226(b), concerning advertising  
23 alcoholic beverages at a private club for on-premises consumption, is amended  
24 to add an additional subdivision to read as follows:

25 (b)(1) It shall be unlawful for a private club, as defined in § 3-9-  
26 202, to use the advertising media to promote the consumption and use of  
27 alcoholic beverages or to advertise or announce the price of service of  
28 alcoholic beverages for on-premises consumption in a county where its voters  
29 have not authorized the sale of intoxicating liquor in a local option  
30 election under Initiated Act No. 1 of 1942, as amended, §§ 3-8-201 – 3-8-203,  
31 and 3-8-205 – 3-8-209.

32 (2) The prohibition on advertising or promoting the consumption  
33 of alcoholic beverages under subdivision (b)(1) of this section does not  
34 require a private club to block visibility through the private club's windows  
35 or doors to prevent the general public from viewing patrons consuming  
36 alcoholic beverages, including without limitation through the use of window



1 tinting.

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*/s/L. Johnson*

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**APPROVED: 4/13/23**

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