

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Benham

SENATE BILL 228

"AN ACT TO PROVIDE THAT LOCAL OPTION ELECTIONS CONCERNING THE SALE OF INTOXICATING LIQUORS SHALL BE HELD ON A COUNTYWIDE BASIS ONLY AND IF AT SUCH ELECTION IN ANY COUNTY A MAJORITY OF THE QUALIFIED ELECTORS VOTING ON THE ISSUE VOTE AGAINST THE MANUFACTURE OR SALE OF INTOXICATING LIQUORS IN THE COUNTY THE MANUFACTURE OR SALE THEREOF SHALL BE UNLAWFUL IN THE ENTIRE COUNTY; TO PROVIDE THAT IF AT SUCH COUNTYWIDE ELECTION, A MAJORITY OF THE QUALIFIED ELECTORS VOTE FOR THE MANUFACTURE OR SALE OF INTOXICATING LIQUORS IN THE COUNTY, THE MANUFACTURE OR SALE OF INTOXICATING LIQUORS SHALL BE LAWFUL IN THE ENTIRE COUNTY; AND FOR OTHER PURPOSES."

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

SECTION 1. Hereafter, local option elections held on the question of the manufacture or sale of intoxicating liquors shall be conducted on a countywide basis only. All such elections shall be called and held in the manner currently prescribed by law for countywide local option elections on the manufacture or sale of intoxicating liquors.

When the question of whether the manufacture or sale of intoxicating liquors is submitted to the qualified electors of a county as provided by law and a majority of the electors voting on the issue vote against the manufacture or sale of such intoxicating liquors, the manufacture or sale thereof shall be unlawful throughout the county and the Alcoholic Beverage Control Board shall issue no new licenses or permits for the manufacture or sale of such intoxicating liquors in the county and shall cancel all such licenses or permits previously issued in the county. If at such election, a majority of the qualified electors voting on the issue vote for the manufacture or sale of such intoxicating liquors, the sale of such intoxicating liquors shall be

lawful in all areas of the county and the Alcoholic Beverage Control Board is authorized to issue new permits and to renew existing permits for the sale of such intoxicating liquors in any part of the county. Provided, the number of licenses or permits issued in any county shall not exceed the number prescribed in Section 1 of Article 3 of Act 108 of 1935 as amended.

SECTION 2. (a) Nothing contained herein shall be construed to limit or restrict the issuance of licenses and permit for the manufacture or sale of intoxicating liquors in any portions of counties in which the manufacture or sale thereof is legal on the effective date of this Act unless a countywide local option election is hereafter held in such county and a majority of the qualified electors voting on the issue vote against the manufacture or sale of intoxicating liquors in the entire county.

(b) Nothing contained herein shall be construed to repeal or modify the provisions of Act 206 of 1961, as amended.

SECTION 3. For purposes of this Act the term "intoxicating liquors" means and includes spirituous, vinous, malt or other intoxicating beverages.

SECTION 4. All laws and parts of laws in conflict herewith are, to the extent of such conflict, hereby repealed.

