

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

SENATE BILL 97

"AN ACT TO AMEND SECTION 16 OF ARTICLE 3 OF ACT 108 OF 1935 [ARK. STATS. 48-204] TO REMOVE THE AUTHORITY AND RESPONSIBILITY OF THE ALCOHOLIC BEVERAGE CONTROL BOARD AND THE DIRECTOR OF ALCOHOLIC BEVERAGE CONTROL TO PROHIBIT THE SALE OF VINOUS, SPIRITUOUS OR MALT LIQUORS ON ELECTION DAYS; TO REPEAL ANY AND ALL OTHER LAWS AND ADMINISTRATIVE REGULATIONS WHICH PROHIBIT OR RESTRICT THE SALE OF VINOUS, SPIRITUOUS OR MALT LIQUORS ON ELECTION DAYS; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 16 of Article 3 of Act 108 of 1935, the same being Arkansas Statutes 48-204, is hereby amended to read as follows:

"Section 16. The Alcoholic Beverage Control Board may adopt rules and regulations covering the hours in which vinous, spirituous or malt liquors may be sold and shall prohibit the sale thereof on Sundays, provided however, the rules and regulations of the Board in this respect shall not conflict with the ordinances of any city or town."

SECTION 2. Subsection (b) of Section 1 of Act 218 of 1943 as amended, the same being Arkansas Statutes 48-901(b), is hereby amended to read as follows:

"(b) Any person who shall sell intoxicating alcoholic liquor on Sunday or between one o'clock a.m. and seven o'clock a.m. on weekdays shall be guilty of a misdemeanor and for the first offense be punishable by a fine of not less than one hundred dollars (\$100.00) nor more than two hundred fifty dollars (\$250.00) and for the second and subsequent offenses he shall be guilty of a misdemeanor and punishable by a fine of not less than two hundred fifty

dollars (\$250.00) and not more than five hundred dollars (\$500.00) or by imprisonment in the county jail for not less than ten (10) days nor more than six (6) months, or both so fined and imprisoned in the discretion of the court or jury."

SECTION 2. It is the purpose and intent of this Act to amend the present law to remove the authority and responsibility of the Alcoholic Beverage Control Board or of the Director of the Board to adopt rules and regulations prohibiting the sale of alcoholic beverages on election days and to this end, all laws and administrative rules and regulations prohibiting the sale of vinous, spirituous or malt liquors on election days are hereby repealed.

