

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: S3/27/17 H3/30/17

A Bill

SENATE BILL 758

5 By: Senator Collins-Smith
6 By: Representative Hammer
7

For An Act To Be Entitled

9 AN ACT TO REVIEW, STUDY, AND REFORM ALL LAWS,
10 STATUES, REGULATIONS, AND RULES PERTAINING TO BEER,
11 LIQUOR AND WINE IN THE STATE OF ARKANSAS; AND FOR
12 OTHER PURPOSES.
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Subtitle

15 TO REVIEW, STUDY, AND REFORM ALL LAWS,
16 STATUES, REGULATIONS, AND RULES
17 PERTAINING TO BEER, LIQUOR AND WINE IN
18 THE STATE OF ARKANSAS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 *SECTION 1. DO NOT CODIFY. (a) The General Assembly finds that:*

25 (1) The Alcoholic Beverage Control Division, the Alcoholic
26 Beverage Control Enforcement Division, and the Alcoholic Beverage Control
27 Board have a great degree of authority in licensing, regulating, and
28 penalizing establishments serving and dispensing beer, liquor, and wine in
29 this state;

30 (2) The General Assembly should take proactive steps to ensure
31 that the regulatory authority granted to the Alcoholic Beverage Control
32 Division, the Alcoholic Beverage Control Enforcement Division, and the
33 Alcoholic Beverage Control Board is practical, up-to-date, and in line with
34 best practices; and

35 (3) The optimal way to provide for oversight of the authority
36 granted to the Alcoholic Beverage Control Division, the Alcoholic Beverage



1 Control Enforcement Division, and the Alcoholic Beverage Control Board is to
2 provide for a review of the laws and rules governing the operations of the
3 Alcoholic Beverage Control Division, the Alcoholic Beverage Control
4 Enforcement Division, and the Alcoholic Beverage Control Board.

5 (b) The Senate Committee on State Agencies and Governmental Affairs,
6 the House Committee on State Agencies and Governmental Affairs, and the House
7 Rules Committee, meeting jointly, shall conduct a review of the operations of
8 the Alcoholic Beverage Control Division, the Alcoholic Beverage Control
9 Enforcement Division, and the Alcoholic Beverage Control Board, including
10 without limitation a review of the:

11 (1) Laws pertaining to beer, liquor, and wine in the state of
12 Arkansas to identify provisions of law that are outdated, ineffective, or
13 otherwise in need of revision or modernization;

14 (2) Rules of the Alcoholic Beverage Control Division to identify
15 regulations that are outdated, ineffective, or otherwise in need of revision
16 or modernization; and

17 (3) Fine and penalty authority of the Alcoholic Beverage Control
18 Division, the Alcoholic Beverage Control Enforcement Division, and the
19 Alcoholic Beverage Control Board, with particular attention to whether there
20 is equity in the fines and penalties assessed to small retailers when
21 compared to the fines and penalties assessed to large retailers.

22 (c) On or before October 1, 2018, the committees shall provide a
23 report to the President Pro Tempore of the Senate and the Speaker of the
24 House of Representatives:

25 (1) Summarizing the results of the study; and

26 (2) Outlining specific statutes and rules in need of revision.

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28 /s/Collins-Smith
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