

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

HOUSE BILL 1578

5 By: Representative Pilkington
6 By: Senator J. Bryant
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING ALCOHOLIC
10 BEVERAGES; TO ESTABLISH THE ARKANSAS HEMP BEVERAGE
11 ACT; AND FOR OTHER PURPOSES.
12
13

Subtitle

15 TO ESTABLISH THE ARKANSAS HEMP BEVERAGE
16 ACT.
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code Title 3, Chapter 4, is amended to add an
21 additional subchapter to read as follows:

22 Subchapter 11 - Arkansas Hemp Beverage Act
23

24 3-4-1101. Title.

25 This act shall be known and may be cited as the "Arkansas Hemp Beverage
26 Act".
27

28 3-4-1102. Legislative findings – Purpose.

29 (a) The General Assembly finds that:

30 (1) Hemp-based beverages containing legal concentrations of
31 delta-9 tetrahydrocannabinol and cannabidiol can be safely integrated into
32 the existing alcohol distribution framework;

33 (2) Hemp-based beverages are a growing sector of consumer goods
34 that offer significant economic potential for Arkansas; and

35 (3) Proper licensing and oversight through the Alcoholic
36 Beverage Control Division will ensure consistent regulatory compliance.



1 (b) The purpose of this subchapter is to establish a framework for the
2 regulation of hemp-based beverages within the division to ensure compliance
3 with the state's three-tier system for alcoholic beverages, public safety,
4 and market integrity.

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6 3-4-1103. Definitions.

7 As used in this subchapter:

8 (1) "Certificate of analysis" means a document from an
9 independent laboratory verifying a product's compliance with delta-9
10 tetrahydrocannabinol and contaminant thresholds;

11 (2) "Hemp" means the same as defined in the Agriculture
12 Improvement Act of 2018, Pub. L. No. 115-334, and includes any part of the
13 plant Cannabis sativa L. with a delta-9 tetrahydrocannabinol concentration
14 that does not exceed three-tenths of one percent (0.3%) on a dry-weight
15 basis;

16 (3) "Hemp-based beverage" means a liquid product for human
17 consumption that contains hemp-derived cannabinoids, commensurate with the
18 Agriculture Improvement Act of 2018, Pub. L. No. 115-334;

19 (4) "Manufacturer" means a licensed entity authorized to
20 manufacture hemp-based beverages in compliance with this subchapter and
21 Alcoholic Beverage Control Division rules;

22 (5) "Retailer" means a licensed entity authorized to sell hemp-
23 based beverages directly to consumers; and

24 (6) "Wholesaler" means a licensed entity authorized to
25 distribute hemp-based beverages to retailers under the three-tier system for
26 alcoholic beverages.

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28 3-4-1104. Manufacturers.

29 (a)(1) An in-state manufacturer of a hemp-based beverage shall obtain
30 a manufacturer permit from the Alcoholic Beverage Control Division.

31 (2) An out-of-state manufacturer of a hemp-based beverage sold
32 in Arkansas shall hold a current manufacturer permit from the designated
33 regulator in the manufacturer's state that is assigned the task of approving
34 and issuing a hemp manufacturer or processor permit.

35 (b) A manufacturer shall:

36 (1) Submit proof of compliance with state and federal hemp laws;

1 (2) Provide a certificate of analysis for each product batch;
 2 and

3 (3) Ensure manufacturing facilities comply with Department of
 4 Health food safety rules.

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 6 3-4-1105. Wholesalers.

7 (a) A wholesaler of a hemp-based beverage shall obtain a wholesale
 8 permit from the Alcoholic Beverage Control Division.

9 (b) A wholesaler shall:

10 (1) Purchase products only from licensed manufacturers;

11 (2) Sell products only to licensed retailers; and

12 (3) Maintain records of all transactions for inspection by the
 13 division.

14
 15 3-4-1106. Retailers.

16 (a) A retailer of a hemp-based beverage shall hold an appropriate
 17 permit from the Alcoholic Beverage Control Division to sell the hemp-based
 18 beverage.

19 (b) A retailer shall purchase products only from a licensed
 20 wholesaler.

21 (c) A retailer is prohibited from producing or distributing a hemp-
 22 based beverage.

23
 24 3-4-1107. Product standards and labeling.

25 (a) A hemp-based beverage shall comply with the following standards:

26 (1) By having a delta-9 tetrahydrocannabinol content not to
 27 exceed three-tenths of one percent (0.3%) on a dry-weight basis;

28 (2) Being product-tested by an independent laboratory to verify
 29 compliance with delta-9 tetrahydrocannabinol limits and the absence of
 30 contaminants; and

31 (3) If produced out-of-state:

32 (A) Comply with all laws and rules applicable to similar
 33 beverages in the state of manufacture; and

34 (B) Meet all standards, requirements, and rules
 35 established by the State of Arkansas for beverages distributed or sold within
 36 the state.

1 (b) Each product shall display:

2 (1) A scannable quick-response code linking to the certificate
 3 of analysis;

4 (2) The delta-9 tetrahydrocannabinol and cannabidiol content per
 5 serving; and

6 (3) The batch number and expiration date.

7 (c) Labels shall not:

8 (1) Be attractive to children, including without limitation
 9 through the use of cartoons or bright colors; and

10 (2) Resemble alcoholic beverages or candy products in a way that
 11 may mislead consumers.

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 13 3-4-1108. Distribution and sales.

14 (a) A hemp-based beverage may be sold only to individuals who are
 15 twenty-one (21) years of age or older.

16 (b) A manufacturer and wholesaler shall:

17 (1) Follow the three-tier system referenced under § 3-5-1201;
 18 and

19 (2) Ensure clear separation of roles.

20 (c) A retailer may sell a hemp-based beverage for off-premises
 21 consumption if authorized by the permit issued by the Alcoholic Beverage
 22 Control Division.

23
 24 3-4-1109. Enforcement and penalties.

25 (a) The Alcoholic Beverage Control Division shall enforce this
 26 subchapter through:

27 (1) Routine inspections;

28 (2) Record audits; and

29 (3) Product testing.

30 (b) A violation of this subchapter, including without limitation
 31 unlicensed production, unlicensed distribution, or unlicensed sales, is
 32 subject to penalties under Title 3 of the Arkansas Code.

33 (c) A noncompliant product may be subject to immediate stop-sale
 34 orders and confiscation pursuant to the enforcement authorities of the
 35 division under § 3-2-201 et seq.

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1 3-4-1110. Rules.

2 The Alcoholic Beverage Control Division shall promulgate rules to
3 implement this subchapter to include without limitation:

4 (1) Licensing procedures for manufacturers, wholesalers, and
5 retailers;

6 (2) Standards for product testing, labeling, and advertising;
7 and

8 (3) Reporting and recordkeeping requirements for licensed
9 entities.

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11 SECTION 2. DO NO CODIFY. Rules.

12 (a) When adopting the initial rules required under this act, the
13 Alcoholic Beverage Control Division shall file the final rules with the
14 Secretary of State for adoption under § 25-15-204(f):

15 (1) On or before one hundred twenty (120) days from the
16 effective date of this act; or

17 (2) If approval under § 10-3-309 has not occurred by one hundred
18 twenty (120) days from the effective date of this act, as soon as practicable
19 after approval under § 10-3-309.

20 (b) The division shall file the proposed rules with the Legislative
21 Council under § 10-3-309(c) sufficiently in advance of one hundred twenty
22 (120) days from the effective date of this act, so that the Legislative
23 Council may consider the rules for approval before one hundred twenty (120)
24 days from the effective date of this act.

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