

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

# A Bill

Act 1594 of 1999  
SENATE BILL 670

5 By: Senator B. Lewellen  
6  
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## For An Act To Be Entitled

9 "AN ACT TO CLARIFY THE APPLICATION OF ARKANSAS CODE 3-  
10 4-218; AND FOR OTHER PURPOSES."

### Subtitle

13 "TO CLARIFY THE APPLICATION OF ARKANSAS  
14 CODE 3-4-218."  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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19 SECTION 1. Arkansas Code 3-4-218 is amended to read as follows:  
20 "3-4-218. Permits restricted to permitted premises.

21 (a) No new liquor permits shall be issued to, nor shall any outstanding  
22 liquor permit be transferred to, any person, firm, or corporation by the  
23 Alcoholic Beverage Control Division wherein the permitted premises of the  
24 liquor permittee is operated as a part of the profit-making business of any  
25 drug, grocery, sporting goods, dry goods, hardware, or general mercantile  
26 stores, or any other business unrelated to the retail package sale of such  
27 liquors. However, this restriction shall not prohibit the transfer of a permit  
28 by the Alcoholic Beverage Control Division resulting from the sale of a  
29 business for which a permit was issued on or before February 18, 1971.

30 (b) It is further provided, in any instance where a retail liquor  
31 permit was issued after February 18, 1971, and the permitted premise is  
32 located outside an incorporated city or town, and is located within five (5)  
33 miles of two other liquor stores that were grandfathered in under the  
34 provisions of subsection (a) above, each of the other stores being on either  
35 side of the newer liquor store, and further where the newer liquor store and  
36 one of the grandfathered liquor stores are both located in the same county and

1 the second grandfathered liquor store is located in an adjoining county, and  
2 further where all three subject liquor stores are located within one (1) mile  
3 of a federal interstate highway, then the middle liquor store may be  
4 considered as a grandfathered liquor store on the same basis as its  
5 competitors and may sell items which would not ordinarily be allowed if the  
6 permit were granted after February 18, 1971."

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8 SECTION 2. All provisions of this act of a general and permanent nature  
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 3. If any provision of this act or the application thereof to  
13 any person or circumstance is held invalid, such invalidity shall not affect  
14 other provisions or applications of the act which can be given effect without  
15 the invalid provision or application, and to this end the provisions of this  
16 act are declared to be severable.

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18 SECTION 4. All laws and parts of laws in conflict with this act are  
19 hereby repealed.

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22 APPROVED: BECAME LAW ON 4/29/1999, WITHOUT THE GOVERNOR'S SIGNATURE.

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