

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1170 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

SENATE BILL 979

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5 By: Senator Madison
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For An Act To Be Entitled

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9 AN ACT TO EXEMPT NONPROFIT ORGANIZATIONS FROM THE
10 PROVISIONS OF § 3-9-236 (15) UNDER CERTAIN
11 CIRCUMSTANCES; AND FOR OTHER PURPOSES.
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Subtitle

13
14 AN ACT TO EXEMPT NONPROFIT ORGANIZATIONS
15 FROM THE PROVISIONS OF § 3-9-236 (15)
16 UNDER CERTAIN CIRCUMSTANCES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 3-9-236 (15), concerning certain acts which
22 constitute a misdemeanor, is amended to read as follows:

23 (15)(A) Keep on the permitted premises a slot machine or any
24 gambling or gaming device, machine, or apparatus, except as provided in
25 subdivision (15)(B) of this section.

26 (B) An event held by a nonprofit organization that is
27 exempt from taxation under § 26 U.S.C. 501(c)(3) shall be exempt from
28 subdivision (15)(A) of this section if:

29 (i) The nonprofit organization registers the event
30 with the Alcoholic Beverage Control Division at least sixty (60) days before
31 the event;

32 (ii) All proceeds of the event are for the benefit
33 of the nonprofit organization;

34 (iii) The games in the event do not use money but
35 may use some form of play money;



1 (iv) No cash or any other item of value is won or
2 awarded as a prize; and

3 (v) The event is for amusement and not for gambling
4 purposes in violation of Arkansas law or Article 19, Section 14 of the
5 Arkansas Constitution.

6 (C)(i) This section shall apply to only one (1) event held
7 by a nonprofit organization during a calendar year.

8 (ii) No licensed premises shall be allowed more than
9 ten (10) events under this subdivision per calendar year.

10 (D)(i) A violation of this section is a misdemeanor and is
11 punishable by a fine of one thousand dollars (\$1,000).

12 (ii) If a nonprofit organization commits a second
13 violation of this subdivision, the nonprofit organization shall be ineligible
14 to sponsor an event under this section.

15 (E) The Alcoholic Beverage Control Division may promulgate
16 appropriate rules to carry out the intent of this subdivision (15).

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19 APPROVED: 3/22/2005
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