

1 State of Arkansas As Engrossed: H3/26/15, S3/31/15

2 90th General Assembly

# A Bill

3 Regular Session, 2015

HOUSE BILL 1390

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5 By: Representative Hammer

6 By: Senator B. King

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## For An Act To Be Entitled

9 AN ACT TO CLARIFY THE DEFINITION OF "CHURCH" FOR  
10 PURPOSES OF RETAIL LIQUOR PERMITS; AND FOR OTHER  
11 PURPOSES.

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### Subtitle

15 TO CLARIFY THE DEFINITION OF "CHURCH" FOR  
16 PURPOSES OF RETAIL LIQUOR PERMITS.

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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 § 3-4-206 is amended to read as follows:

22 3-4-206. Operation of retail liquor business near church or  
23 schoolhouse prohibited.

24 (a) As used in this section, "church" means a church and all  
25 immediately adjacent property owned or leased by the church that is used for  
26 church purposes;

27 ~~(a) No new permit to engage in the retail liquor business in this~~  
28 ~~state shall be issued by the Director of the Alcoholic Beverage Control~~  
29 ~~Division for the location of any business situated within two hundred (200)~~  
30 ~~yards of any church or schoolhouse.~~

31 ~~(b) However, after August 13, 2001:~~

32 ~~(1)(b)(1)~~ (1)(b)(1) No new permit to engage in the retail liquor business in  
33 this state may be issued by the ~~director~~ Director of Alcoholic Beverage  
34 Control Division for the location of any business situated within one  
35 thousand feet (1,000') of any church or schoolhouse property line; ~~and.~~

36 ~~(2)(4)~~ (2) No existing permit to engage in the retail liquor



1 business in this state may be transferred to a location within one thousand  
2 feet (1,000') of any church or schoolhouse property line.

3 ~~(B) As an exception to subdivision (b)(2)(A) of this~~  
4 ~~section, if any retail liquor business in this state already exists within~~  
5 ~~one thousand feet (1,000') of one (1) or more churches or schoolhouses, then~~  
6 ~~that same retail liquor store may be allowed to transfer to a new location~~  
7 ~~that is within one thousand feet (1,000') of the closest church or~~  
8 ~~schoolhouse to the present liquor store location if the new location is~~  
9 ~~determined by the Alcoholic Beverage Control Division to serve the public~~  
10 ~~convenience and advantage.~~

11 (3) The distance specified in subdivisions (b)(1) and (2) of  
12 this section shall be measured by nearest property line point to nearest  
13 property line point.

14 (4) Subdivisions (b)(1) and (2) of this section apply only to an  
15 application for a new permit or the transfer of an existing permit filed with  
16 the Alcoholic Beverage Control Board after August 1, 2015.

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18 /s/Hammer

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21 **APPROVED: 04/07/2015**  
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