

Hall of the House of Representatives
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of House Bill No. 1945

"AN ACT TO ALLOW THE SERVING OF ALCOHOLIC BEVERAGES FOR ON PREMISES
CONSUMPTION IN QUALIFIED RESTAURANTS ON ALL DAYS OF THE WEEK."

Amendment No. 2 to House Bill No. 1945.

Amend House Bill No. 1945 as engrossed, 03/07/03:

Page 4, line 4 delete "\$~~500~~ 1,000" and substitute "\$500"

AND

Page 4, line 6 delete "~~1,000~~ 1,500" and substitute "1,000"

AND

Page 4, line 9 delete "~~500~~ 750" and substitute "500"

AND

Page 4, line 12 delete "~~1,000~~ 1,250" and substitute "1,000"

AND

Page 18, line 10 add the following new sections:

"SECTION 15. Referendum elections - Sunday sales opt out -Conduct.

(a) A referendum election for cities or counties to opt out of the automatic Sunday sales of intoxicating liquors as provided in this act shall be conducted in accordance with the following:

(1) A referendum election may be called in a city by resolution adopted by a majority vote of the governing body of the city or by petition filed with the city clerk signed by qualified electors of the city numbering not less than fifteen percent (15%) of the votes cast in the city for the office of Governor in the last general election in which the office appeared on the ballot;

(2) A referendum election may be called in a county by resolution adopted by a majority vote of the quorum court at any annual or special session thereof, or by petition filed with the county clerk signed by qualified electors of the county numbering not less than fifteen percent (15%) of the votes cast in the county for the office of Governor in the last



general election in which the office appeared on the ballot.

(b)(1) The election shall be held and conducted and the results certified under the supervision of the county board of election commissioners in the manner provided by the election laws of this state.

(2) The county board shall fix the date of the election not less than thirty (30) days nor more than sixty (60) days from the date the election was called pursuant to subdivision (a)(1) or (a)(2) of this section and give notice thereof by publication in a newspaper of general circulation in the city or county by at least two (2) insertions, the last being not less than ten (10) days prior to the election.

(3) The county board shall tabulate the votes and certify the results to the county clerk within ten (10) days after the election.

(c) The election shall be conducted on a citywide or countywide basis. All qualified electors within the city or county, as the case may be, shall be eligible to vote even though they reside in a dry area thereof.

(d) On the ballot for the election shall be printed substantially the following:

FOR THE SALE OF ALCOHOLIC BEVERAGES ON A SUNDAY FOR

ON-PREMISES CONSUMPTION IN (NAME OF CITY OR _____) []

COUNTY), ARKANSAS, AS AUTHORIZED IN ARKANSAS CODE §§ 3-9-201 ET SEQ. AND 3-9-501 ET SEQ.

AGAINST THE SALE OF ALCOHOLIC BEVERAGES ON SUNDAY FOR

ON-PREMISES CONSUMPTION IN (NAME OF CITY OR _____) []

COUNTY), ARKANSAS, AS AUTHORIZED IN ARKANSAS CODE §§ 3-9-201 ET SEQ. AND 3-9-501 ET SEQ.

(e) The results of the election may be contested within the time and in the manner provided by law.

(f) All matters concerning the sufficiency of the petitions and the conduct of the election not specifically provided for herein shall be determined in accordance with the initiative and referendum laws of this state applicable to cities and counties, respectively.

SECTION 16. Referendum elections - Effect.

(a) In the event a majority of those voting in a referendum election under this subchapter shall vote against on-premises consumption on a Sunday, an election shall not be held again on the issue in the same voting district for a period of one (1) year. However, an adverse vote in a countywide election shall not prohibit the calling of an election in a city in such county, nor shall an adverse vote in a city election prohibit the calling of an election in the county.

(b) Successive referendum elections may be held in the same city or county to reverse the result of a previous election. However, there shall be a period of not less than one (1) year between each such election.

(c) After a referendum election has initially been held, subsequent elections in the same city or county shall be held at the regular biennial

November general election. “

The Amendment was read _____
By: Representative Bright
PBB/APK - 032520031230
ONE384

Chief Clerk