

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

Subtitle of House Bill No. 2749

"AN ACT TO CLARIFY THE PROCEDURE FOR OBTAINING A PRIVATE CLUB PERMIT."

Amendment No. 1 to House Bill No. 2749.

Amend House Bill No. 2749 as originally introduced:

Page 1, line 9, delete "PROCEDURE" and substitute "PURPOSE"

AND

Page 1, line 13, delete "PROCEDURE" and substitute "PURPOSE"

AND

Delete Section 1. of the bill and substitute new sections to the bill to read as follows:

"SECTION 1. Arkansas Code § 3-9-202(10), as amended by Act 369 of 2003, concerning the definition of a private club under on-premises consumption of alcoholic beverages law, is amended to read follows

(10)(A)(i) "Private club" means a nonprofit corporation organized and existing under the laws of this state no part of the net revenues of which shall inure directly or indirectly to the benefit of any of its members or any other individual except for the payment of bona fide expenses of the club's operations and which is conducted for some common recreational, social, patriotic, political, national, benevolent, athletic, community hospitality, professional association, entertainment, or other nonprofit object or purpose other than the consumption of alcoholic beverages.

(ii) The nonprofit corporation shall have been in existence for a period of not less than one (1) year before application for a permit, as prescribed in this subchapter.

(iii) At the time of application for the permit, the nonprofit corporation must have not fewer than one hundred (100) members and at the time of application must own or lease, be the holder of a buy-sell agreement or offer and acceptance, or have an option to lease a building, property, or space therein for the reasonable comfort and accommodation of its members and their families and guests and restrict the use of club facilities to such persons.

(B) For purposes of this subdivision (10), a person shall



be required to become a member of the private club in any wet area of the state only upon ordering an alcoholic beverage as defined under subdivision (3) of this section.

(C) Furthermore, where such business entity that holds a private club permit additionally holds a retail beer permit, retail wine for consumption on the premises permit, or cafe or restaurant wine permit, the hours of operation authorized for the private club shall likewise apply to all permits of such business entity;

SECTION 2. Arkansas Code § 3-9-221(a), concerning the purposes of organizing private clubs for serving alcoholic beverages, is amended to read as follows:

(a)(1) The General Assembly recognizes that many individuals in this state serve mixed drinks containing alcoholic beverages to their friends and guests in the privacy of their homes and, in addition, that many individuals associated together in private nonprofit ~~associations or~~ corporations established for fraternal, patriotic, recreational, political, social, or other mutual purposes as authorized by law, established not for pecuniary gain, have, for their mutual convenience, provided for the preparation and serving to themselves and their guests of mixed drinks prepared from alcoholic beverages owned by the members individually or in common under a so-called "locker", "pool", or "revolving fund" system.

(2) Further, the General Assembly recognizes that many individuals travel to this state to assemble at regional meetings and conventions to associate with other individuals who are members of professional and social organizations; that many of the restaurants and entertainment facilities used for the meetings and conventions promote the hospitality of the host communities where the restaurants, convention, and entertainment facilities are located; that many of the host organizations plan to serve mixed drinks containing alcoholic beverages to their friends and guests at these meetings and while entertaining and dining during these conventions; and many of the host communities have individuals who have associated together in private nonprofit corporations established for recreational, social, community hospitality, professional association, entertainment, or other mutual purposes established, not for pecuniary gain, but for their mutual convenience and to provide for the preparation and serving to themselves and their guests of mixed drinks prepared from alcoholic beverages owned by the members individually or in common under a so-called "locker", "pool", or "revolving fund" system."

The Amendment was read _____
By: Representative Pickett
EAN/VJF - 033120031329
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Chief Clerk