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Amendment to Section 5.50 Hotel or Large Event Facility Private Club Permit

For "Dry" Areas Only. In addition to the requirements for an application for a regular private club permit, including an ordinance approving the operation of the private club by the governing body of the county or municipality in which the club is located, the applicant for a permit issued under this regulation must elect to apply as either a hotel or as a large event facility private club.

- (a) If application is being made for a hotel private club permit as authorized by Act 1194 of 2011, the application for the hotel permit must include, in addition to information already required for a private club application, a description of the hotel facility, which shows at a minimum that the hotel meets the following additional requirements:
 - (1) The space leased must have at least eighty (80) lodging rooms and five thousand (5000) square feet of public meeting, banquet or restaurant space that is leased to the nonprofit corporation;
 - (2) Additional areas, other than the bar area, in which the private club hotel applicant desires the ability to serve alcoholic beverages to members and their guests must be shown on a floor plan. Such additional areas may include sleeping rooms, poolside bars, banquet facilities, restaurants, lobbies, exhibit halls, patios and outdoor gardens.
 - (3) If the hotel desires to offer room service, either by the use of in-room hospitality units as authorized by Alcoholic Beverage Control Regulation Section 5.51 or by room service, the floor plan submitted must clearly identify those rooms which are leased by the nonprofit corporation.
- (b) Additional information or requirements for a large event facility under Act 1194 shall include the following:
 - (1) The large event facility must serve full and complete meals and food on the premises;
 - (2) The large event facility must have one (1) or more places for food service on the premises with a seating capacity for not fewer than five hundred (500) people, and must employ a sufficient number and kind of employees to serve meals and food on the premises capable of handling at least five hundred (500) people. However, the food service requirement and employee requirement may be supplied either through the large event facility permittee or through one or more independent contractors;

- (3) The large event facility may serve alcoholic beverages on the premises at one (1) or more places only on days complete meals and food are served at one (1) or more places on the premises;
 - (4) The large event facility applicant must show that the space leased has ten thousand (10,000) square feet of interior or exterior public meeting, banquet, exhibit hall or restaurant space;
 - (5) The applicant for the large event facility permit shall list, and show on its floor plan, all areas of the large event facility where alcoholic beverage service is being requested. This includes outdoor areas, exhibit halls, patios, lobbies, restaurants that may be within the large event facility and any other portion of the large event facility property where alcoholic beverage service is desired. Areas where alcoholic beverage service is desired must be leased by the nonprofit corporation that is making application for the private club permit;
 - (6) Attachments to the application must show that the large event facility permit will be a facility that will house convention center activity, tourism activity, trade show and product display and related meeting activity, or any other similar large meeting or attendance activity as required by Act 1194 of 2011.
- (c) The applicant for the hotel or the large event facility must show, on the floor plan, an entryway where members of the public may enter the property before they are offered the opportunity to become members of the nonprofit corporation. Both members of the public and members of the private club and bona fide guests of a member of the private club may freely move about the private club property, but only members and guests of a member of the nonprofit corporation may receive alcoholic beverage service from the private club. (Adopted 8-16-11)

SUMMARY

Act 1112 of 2017 requires applicants for private club permits to obtain an ordinance from the municipality or county in which the club seeks to operate prior to filing an application with the ABC.

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1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017

As Engrossed: H3/27/17

A Bill

SENATE BILL 623

4
5 By: Senator E. Williams
6 By: Representative Ballinger

For An Act To Be Entitled

7
8
9 AN ACT TO AUTHORIZE THE GOVERNING BODIES OF COUNTIES
10 AND MUNICIPALITIES TO INITIATE THE PERMITTING PROCESS
11 FOR PRIVATE CLUBS; AND FOR OTHER PURPOSES.

Subtitle

12
13
14 TO AUTHORIZE THE GOVERNING BODIES OF
15 COUNTIES AND MUNICIPALITIES TO INITIATE
16 THE PERMITTING PROCESS FOR PRIVATE CLUBS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21
22 SECTION 1. Arkansas Code § 3-9-222(a) and (b), concerning the
23 procedure for obtaining a private club permit, are amended to read as
24 follows:

25 (a)(1) Application for a permit to operate as a private club may be
26 made to the ~~Director of the Alcoholic Beverage Control Division in accordance~~
27 ~~with the rules of the Alcoholic Beverage Control Board~~ governing body of the
28 county or municipality in which the private club seeks to be located.

29 (2) If the governing body of the county or municipality approves
30 by ordinance an application for a permit to operate as a private club under
31 subdivision (a)(1) of this section, the Alcoholic Beverage Control Division
32 may issue a permit to operate as a private club to the applicant for the
33 proposed location.

34 (b)(1) The application for a private club shall be submitted to the
35 division and accompanied by an annual permit fee of one thousand five hundred
36 dollars (\$1,500).



1 (2) The application for a bed and breakfast private club shall
2 be submitted to the division and accompanied by an annual permit fee of
3 seventy-five dollars (\$75.00).

4 (3) In an area in which the sale of intoxicating liquor has not
5 been authorized by local option as provided under § 3-8-201 et seq., the
6 application for a private club permit shall be submitted to the division and
7 accompanied by an additional application fee of one thousand five hundred
8 dollars (\$1,500).

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10 */s/E. Williams*

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13 **APPROVED: 04/07/2017**
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