

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Hawkins**

A Bill

HOUSE BILL 1173

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED 3-4-205 TO
CLARIFY THE LAW ALLOWING TRANSFER OF INTEREST IN RETAIL
LIQUOR PERMITS; AND FOR OTHER PURPOSES."

Subtitle

"TO CLARIFY THE LAW ALLOWING TRANSFER OF INTEREST IN
RETAIL LIQUOR PERMITS."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Annotated 3-4-205 is hereby amended to read as follows:

"§ 3-4-205. Interest in other permits prohibited.

No retail liquor permit shall be issued, either as a new permit or as a replacement of an existing permit, to any person, firm, or corporation if the person, firm, or corporation has any interest in another retail liquor permit, regardless of the degree of interest. However, notwithstanding this prohibition, any retail liquor permits held by any person, firm, or corporation on the effective date of Act 106 of 1971, which continue to be held by any person, firm or corporation having such interest in more than one such retail liquor permit on the effective date of this act, shall be vested permits. For purposes of this section, the term *_vested permits_* is defined as those multiple retail liquor permits which were lawfully issued to any person, firm or corporation prior to the effective date of Act 106 of 1971. *Holders of vested permits may not sell, convey, assign or devise any such interest in multiple retail liquor permitted businesses to any person or persons, firm or corporation which, on the date of any such transfer, already has any ownership interest in a permitted retail liquor business. However,*

1 holders of vested permits shall be allowed to sell, convey, assign or devise
2 any such interest in multiple retail liquor permitted businesses to any other
3 person or persons, firm or corporation, thereby creating an ownership interest
4 in more than one (1) retail liquor permit to any such subsequent purchasers,
5 assignees, or devisees, without violating any of the provisions hereinabove."

7 SECTION 2. It is the intent of this act to grant to those holders of
8 vested multiple retail liquor permits the same rights and privileges as
9 holders of single retail liquor permits regarding the sale, conveyance,
10 assignment or devise of such permitted businesses.

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

16 SECTION 4. If any provision of this act or the application thereof to
17 any person or circumstance is held invalid, such invalidity shall not affect
18 other provisions or applications of the act which can be given effect without
19 the invalid provision or application, and to this end the provisions of this
20 act are declared to be severable.

22 SECTION 5. All laws and parts of laws in conflict with this act are
23 hereby repealed.

/s/Bruce Hawkins

As Engrossed: 2/11/93

HB 1173

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