

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

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO ABOLISH THE ALCOHOLIC BEVERAGE CONTROL BOARD
9 AND TO TRANSFER ITS POWERS AND DUTIES TO THE ARKANSAS
10 STATE POLICE COMMISSION; TO TRANSFER THE ALCOHOLIC
11 BEVERAGE CONTROL DIVISION AND THE ALCOHOLIC BEVERAGE
12 CONTROL ENFORCEMENT DIVISION TO THE DEPARTMENT OF ARKANSAS
13 STATE POLICE; AND FOR OTHER PURPOSES."

Subtitle

17 "AN ACT TO ABOLISH THE ALCOHOLIC BEVERAGE CONTROL BOARD
18 AND TO TRANSFER ITS POWERS AND DUTIES; AND TO TRANSFER THE
19 ABC DIVISIONS."

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

23 SECTION 1. Effective July 1, 1993, the Alcoholic Beverage Control Board
24 is abolished and its authority and responsibility is transferred to the
25 Arkansas State Police Commission.

27 SECTION 2. (a) Effective July 1, 1993, the Alcoholic Beverage Control
28 Division is transferred to the Department of Arkansas State Police and shall
29 be known as the Alcoholic Beverage Control Division of the Department of
30 Arkansas State Police.

31 (b) Effective July 1, 1993, the Alcoholic Beverage Control Enforcement
32 Division is transferred to the Department of Arkansas State Police and shall
33 be known as the Alcoholic Beverage Control Enforcement Division of the
34 Department of Arkansas State Police.

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1 SECTION 3. All authority and responsibility of the Director of the
2 Alcoholic Beverage Control Division and the Director of the Alcoholic Beverage
3 Control Enforcement Division is transferred to the Director of the Department
4 of Arkansas State Police.

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6 SECTION 4. (a) Any and all appropriations for the Alcoholic Beverage
7 Control Enforcement Division for fiscal year 1993, plus any additional
8 legislative appropriation for the 1993-95 biennium for the division, shall be
9 deemed to be appropriated to and shall be made available for the operation and
10 maintenance of the Alcoholic Beverage Control Division of the Department of
11 Arkansas State Police.

12 (b) Any and all appropriations for the Alcoholic Beverage Control
13 Enforcement Division for fiscal year 1993, plus any additional legislative
14 appropriation for the 1993-95 biennium for the division, shall be deemed to be
15 appropriated to and shall be made available for the operation and maintenance
16 of the Alcoholic Beverage Control Enforcement Division of the Department of
17 Arkansas State Police.

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19 SECTION 5. (a) Any and all statutory authority, powers, duties,
20 functions, records, authorized positions, property, unexpended balances of
21 appropriations, allocations or other funds, Alcoholic Beverage Control
22 Division are hereby transferred to the Alcoholic Beverage Control Division of
23 the Department of Arkansas State Police.

24 (b) Any and all statutory authority, powers, duties, functions, records,
25 authorized positions, property, unexpended balances of appropriations,
26 allocations or other funds, Alcoholic Beverage Control Enforcement Division
27 are hereby transferred to the Alcoholic Beverage Control Enforcement Division
28 of the Department of Arkansas State Police.

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30 SECTION 6. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

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34 SECTION 7. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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5 SECTION 8. All laws and parts of laws in conflict with this act are
6 hereby repealed.

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8 SECTION 9. EMERGENCY CLAUSE. It is hereby found and determined by the
9 General Assembly that the abolishment of the Alcoholic Beverage Control Board
10 and transfer of its powers and duties to the Arkansas State Police Commission
11 and the transfer of the Alcoholic Beverage Control Division and the Alcoholic
12 Beverage Control Enforcement Division to the Department of Arkansas State
13 Police will promote the improvement of the implementation and enforcement of
14 the alcoholic beverage laws of this state; and that the efficient operation of
15 state government will be promoted by providing for the transfer to become
16 effective at the beginning of the next fiscal year. Therefore, an emergency is
17 hereby declared to exist and this act being necessary for the immediate
18 preservation of the public peace, health and safety shall be in full force and
19 effect from and after July 1, 1993.

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