

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 3-2-207 PERTAINING TO THE
9 QUALIFICATIONS OF MEMBERS OF THE ALCOHOLIC BEVERAGE
10 CONTROL BOARD; AND FOR OTHER PURPOSES."

Subtitle

13 "TO AMEND ARKANSAS CODE 3-2-207 PERTAINING TO
14 QUALIFICATIONS OF MEMBERS OF ALCOHOLIC BEVERAGE CONTROL
15 BOARD."

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

19 SECTION 1. Arkansas Code 3-2-207 is amended to read as follows:

20 "§3-2-207. Qualifications and oath of personnel.

21 (a) No person shall be appointed a member of the board or a director,
22 agent, or employee of the Alcoholic Beverage Control Division, the Alcoholic
23 Beverage Control Enforcement Division, or the Alcoholic Beverage Control Board
24 who is not a citizen of the United States and who has not resided in the State
25 of Arkansas successively for two (2) years immediately preceding the date of
26 this appointment.

27 (b) No person shall be so appointed who has been convicted of, or shall
28 have pleaded guilty to, a felony or any violation of any federal or state law
29 concerning the manufacture or sale of alcoholic beverages or malt beverages
30 prior or subsequent to the passage of this subchapter. Nor shall a person be
31 appointed who has paid a fine or penalty in settlement in any prosecution
32 against him for any violation of such laws or who shall have forfeited his
33 bond to appear in court to answer charges for any such violation.

34 (c) No appointee may, directly or indirectly, individually or as a
35 member of a partnership, or as a shareholder of a corporation, have any

1 interests whatsoever in the manufacture, sale, or distribution of alcoholic
2 beverages, nor receive any compensation or profit therefrom.

3 (d) No appointee shall be an elected or appointed officer or employee
4 of this state.

5 (e) Each member of the board, director, and enforcement agent shall
6 take and subscribe to an oath that he will support and enforce the provisions
7 of this subchapter, the alcohol control laws of this state, the Constitution
8 of the State of Arkansas, and the Constitution of the United States of
9 America."

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11 SECTION 2. All provisions of this act of a general and permanent nature
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
13 Revision Commission shall incorporate the same in the Code.

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15 SECTION 3. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.

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21 SECTION 4. All laws and parts of laws in conflict with this act are
22 hereby repealed.

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