

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

# A Bill

**SENATE BILL 383**

## For An Act To Be Entitled

8 "AN ACT TO RESTRICT THE ISSUANCE OF PRIVATE CLUB PERMITS  
9 UNDER ARKANSAS CODE 3-9-221 ET SEQ. IN AREAS WHERE THE  
10 SALE OF ALCOHOLIC BEVERAGES IS PROHIBITED; AND FOR OTHER  
11 PURPOSES."

## Subtitle

14 "RESTRICTING THE ISSUANCE OF PRIVATE CLUB PERMITS IN DRY  
15 AREAS."

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

19 *SECTION 1. Hereafter, no permit shall be issued under the provisions of*  
20 *Arkansas Code 3-9-221 -- 3-9-225 for the operation of a private club in any*  
21 *area of the state in which the sale of alcoholic beverages is unlawful if the*  
22 *private club or proposed private club is operated or to be operated on the*  
23 *premises of or in association with any hotel, motel, restaurant or other*  
24 *business entity if the hotel, motel, restaurant or other entity would benefit*  
25 *financially, either directly or indirectly, from the operation of the private*  
26 *club. Provided, this act shall not be construed to limit or restrict the*  
27 *renewal of a permit issued prior to the effective date of this act, but no*  
28 *such existing permit shall hereafter be transferred to a different location.*

30 *SECTION 2. Funds derived from the service or distribution of alcoholic*  
31 *beverages in a private club established under the provisions of Arkansas Code*  
32 *3-9-221-- 3-9-225 in an area where the sale of alcoholic beverages is unlawful*  
33 *shall not be used to pay excessive rental or lease payments for use of the*  
34 *property on which a private club is operated or to pay for services of the*  
35 *owner or operator of the premises where the club is located.*

1           For the purposes of this section, "excessive rental or lease payments"  
2 means rental or lease payments in excess of the normal rental or lease  
3 payments made for comparable property in the area.

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

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9           SECTION 4. If any provision of this act or the application thereof to  
10 any person or circumstance is held invalid, such invalidity shall not affect  
11 other provisions or applications of the act which can be given effect without  
12 the invalid provision or application, and to this end the provisions of this  
13 act are declared to be severable.

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

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*/s/ Senator Scott*

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