

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H4/4/03
A Bill

HOUSE BILL 2749

5 By: Representative Pickett
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8 **For An Act To Be Entitled**

9 AN ACT TO CLARIFY THE *PURPOSE* FOR OBTAINING A
10 PRIVATE CLUB PERMIT; AND FOR OTHER PURPOSES.
11

12 **Subtitle**

13 AN ACT TO CLARIFY THE *PURPOSE* FOR
14 OBTAINING A PRIVATE CLUB PERMIT.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 *SECTION 1. Arkansas Code § 3-9-202(10), as amended by Act 369 of 2003,*
20 *concerning the definition of a private club under on-premises consumption of*
21 *alcoholic beverages law, is amended to read follows*

22 *(10)(A)(i) "Private club" means a nonprofit corporation*
23 *organized and existing under the laws of this state no part of the net*
24 *revenues of which shall inure directly or indirectly to the benefit of any of*
25 *its members or any other individual except for the payment of bona fide*
26 *expenses of the club's operations and which is conducted for some common*
27 *recreational, social, patriotic, political, national, benevolent, athletic,*
28 *community hospitality, professional association, entertainment, or other*
29 *nonprofit object or purpose other than the consumption of alcoholic*
30 *beverages.*

31 *(ii) The nonprofit corporation shall have been in*
32 *existence for a period of not less than one (1) year before application for a*
33 *permit, as prescribed in this subchapter.*

34 *(iii) At the time of application for the permit, the*
35 *nonprofit corporation must have not fewer than one hundred (100) members and*
36 *at the time of application must own or lease, be the holder of a buy-sell*



1 agreement or offer and acceptance, or have an option to lease a building,
2 property, or space therein for the reasonable comfort and accommodation of
3 its members and their families and guests and restrict the use of club
4 facilities to such persons.

5 (B) For purposes of this subdivision (10), a person shall
6 be required to become a member of the private club in any wet area of the
7 state only upon ordering an alcoholic beverage as defined under subdivision
8 (3) of this section.

9 (C) Furthermore, where such business entity that holds a
10 private club permit additionally holds a retail beer permit, retail wine for
11 consumption on the premises permit, or cafe or restaurant wine permit, the
12 hours of operation authorized for the private club shall likewise apply to
13 all permits of such business entity;

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15 SECTION 2. Arkansas Code § 3-9-221(a), concerning the purposes of
16 organizing private clubs for serving alcoholic beverages, is amended to read
17 as follows:

18 (a)(1) The General Assembly recognizes that many individuals in this
19 state serve mixed drinks containing alcoholic beverages to their friends and
20 guests in the privacy of their homes and, in addition, that many individuals
21 associated together in private nonprofit ~~associations or~~ corporations
22 established for fraternal, patriotic, recreational, political, social, or
23 other mutual purposes as authorized by law, established not for pecuniary
24 gain, have, for their mutual convenience, provided for the preparation and
25 serving to themselves and their guests of mixed drinks prepared from
26 alcoholic beverages owned by the members individually or in common under a
27 so-called "locker", "pool", or "revolving fund" system.

28 (2) Further, the General Assembly recognizes that many
29 individuals travel to this state to assemble at regional meetings and
30 conventions to associate with other individuals who are members of
31 professional and social organizations; that many of the restaurants and
32 entertainment facilities used for the meetings and conventions promote the
33 hospitality of the host communities where the restaurants, convention, and
34 entertainment facilities are located; that many of the host organizations
35 plan to serve mixed drinks containing alcoholic beverages to their friends
36 and guests at these meetings and while entertaining and dining during these

1 conventions; and many of the host communities have individuals who have
2 associated together in private nonprofit corporations established for
3 recreational, social, community hospitality, professional association,
4 entertainment, or other mutual purposes established, not for pecuniary gain,
5 but for their mutual convenience and to provide for the preparation and
6 serving to themselves and their guests of mixed drinks prepared from
7 alcoholic beverages owned by the members individually or in common under a
8 so-called "locker", "pool", or "revolving fund" system.

9 /s/ Pickett

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