

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Representative Purdom**

**A BILL ACT 953 OF 1991**  
**HOUSE BILL 2005**

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7 **For An Act To Be Entitled**

8 "AN ACT TO PROVIDE THAT WINERIES MAY SELL WINE FOR ON-  
9 PREMISES OR OFF-PREMISES CONSUMPTION SEVEN DAYS A WEEK;  
10 AND FOR OTHER PURPOSES."

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

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14 SECTION 1. Arkansas Code Title 3, Chapter 5, Subchapter 4 is hereby  
15 amended to add an additional section to read as follows:

16 "3-5-413. Notwithstanding the provisions of Arkansas Code 3-5-410 or  
17 any other law to the contrary, wine may be sold at any winery located in this  
18 state for on-premises or off-premises consumption on any day of the week."

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20 SECTION 2. The Alcoholic Beverage Control Board is hereby authorized to  
21 promulgate reasonable rules and regulations for the on-premises sale with  
22 foods and off-premises package sale, labeling and identification of wine sold  
23 at wine outlets maintained on the premises and operated in connection with a  
24 wine manufacturing facility in this state throughout the week and such  
25 regulations shall include the following minimum requirements:

26 (1) The winery shall provide tours through their cellars;

27 (2) Only sealed containers may be removed from the winery  
28 premises;

29 (3) That packages sold on Sundays for off-premises consumption  
30 shall have attached around the central seam of each such package a tape or  
31 other seal approved by the Alcoholic Beverage Control Board to seal such  
32 package. Said tape or seal shall be affixed in such manner as directed by the  
33 Alcoholic Beverage Control Board which shall prohibit the opening thereof  
34 without breaking such tape or seal. On each such package shall be stamped in  
35 ink the words "Not to be opened on date of sale by order of the Arkansas  
36 Alcoholic Beverage Control Board" and stating the penalty for violating such

1 order in letters of such minimum height and size as may be prescribed by the  
2 Alcoholic Beverage Control Board.

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4 SECTION 3. Breaking the seal required by Section 2 of this act on the  
5 date of sale shall be a Class C misdemeanor.

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7 SECTION 4. All provisions of this act of a general and permanent nature  
8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
9 Revision Commission shall incorporate the same in the Code.

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11 SECTION 5. If any provision of this act or the application thereof to  
12 any person or circumstance is held invalid, such invalidity shall not affect  
13 other provisions or applications of the act which can be given effect without  
14 the invalid provision or application, and to this end the provisions of this  
15 act are declared to be severable.

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

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APPROVED: 3/29/91

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