

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.

Act 976 of the Regular Session

1 State of Arkansas

As Engrossed: H3/2/09 S3/23/09

2 87th General Assembly

A Bill

3 Regular Session, 2009

HOUSE BILL 1586

4
5 By: Representative Allen

6 By: Senator B. Pritchard

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9 **For An Act To Be Entitled**

10 *AN ACT TO PROVIDE CRIMINAL LIABILITY FOR A SOCIAL*
11 *HOST WHO KNOWINGLY SERVES ALCOHOL TO PERSONS*
12 *UNDER THE AGE OF TWENTY-ONE; WHO KNOWINGLY ALLOWS*
13 *MINORS TO CONSUME ALCOHOL ON HIS OR HER PROPERTY;*
14 *AND FOR OTHER PURPOSES.*

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17 **Subtitle**

18 *TO PROVIDE CRIMINAL LIABILITY FOR A*
19 *SOCIAL HOST WHO KNOWINGLY SERVES ALCOHOL*
20 *TO PERSONS UNDER THE AGE OF TWENTY-ONE*
21 *AND WHO KNOWINGLY ALLOWS MINORS TO*
22 *CONSUME ALCOHOL ON HIS OR HER PROPERTY.*

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

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27 *SECTION 1. Arkansas Code Title 3, Chapter 3, Subchapter 2 is amended*
28 *to add a new section to read as follows:*

29 *3-3-219. Social hosts - Criminal liability.*

30 *(a)(1) A person who exercises control over private property shall not*
31 *knowingly allow a person under twenty-one (21) years of age who is not a*
32 *family member of the person to consume alcohol on the private property.*

33 *(2) This subsection applies only to a person who is present and*
34 *in control of the private property at the time the consumption occurs.*

35 *(3) This subsection does not apply to the owner of rental*



1 property or the agent of an owner of rental property unless the consumption
2 occurs in the individual unit in which the owner or agent resides.

3 (4) This subsection does not apply to any consumption of alcohol
4 during religious ceremonies or for religious purposes.

5 (b)(1) A first violation of this section is a Class C misdemeanor.

6 (2) A second violation of this section is a Class A misdemeanor.

7 (3) A third or subsequent violation of this section is a Class D
8 felony.

9 (c) This section shall not prevent a township, city, or county from
10 establishing by ordinance regulations more stringent than the provisions of
11 this section.

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14 /s/ Allen

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16 APPROVED: 4/7/2009
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