

1 State of Arkansas *As Engrossed: H3/26/13 S4/8/13*

2 89th General Assembly

# A Bill

3 Regular Session, 2013

HOUSE BILL 2277

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5 By: Representative Gillam

6 *By: Senator J. Woods*

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## For An Act To Be Entitled

9 AN ACT TO REQUIRE THE POSTING OF A WARNING SIGN IN A  
10 PRIVATE CLUB; TO EDUCATE THE PUBLIC CONCERNING THE  
11 RISK OF DRINKING ALCOHOLIC BEVERAGES DURING  
12 PREGNANCY; AND FOR OTHER PURPOSES.

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## Subtitle

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TO REQUIRE THE POSTING OF A WARNING SIGN  
17 IN A PRIVATE CLUB; AND TO EDUCATE THE  
18 PUBLIC CONCERNING THE RISK OF DRINKING  
19 ALCOHOLIC BEVERAGES DURING PREGNANCY.

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

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24 *SECTION 1. Arkansas Code Title 3, Chapter 9, Subchapter 1, is amended*  
25 *to add an additional section to read as follows:*

26 *3-9-102. Posting of warning signs relating to drinking alcoholic*  
27 *beverages during pregnancy.*

28 *(a)(1) A person who has received a permit under the law of this state*  
29 *for the sale or dispensing of alcoholic beverages, beer, or wine for on-*  
30 *premises consumption in a private club that does not hold itself out to be a*  
31 *food service establishment shall post in a conspicuous place a printed sign*  
32 *at least eight and one-half inches by eleven inches (8 1/2" x 11") in size*  
33 *with letters at least one inch (1") high that reads "Warning: Drinking*  
34 *alcoholic beverages during pregnancy may cause birth defects".*

35 *(2) The poster shall be printed in English, Spanish, and any*  
36 *other language mandated by the Voting Rights Act of 1965, 42 U.S.C. § 1973,*



1 as it existed on January 1, 2013, in the county where the poster will be  
2 posted.

3 (b)(1) The Alcoholic Beverage Control Board shall make a sign meeting  
4 the requirements of this section available to a person who has received a  
5 permit under the law of this state for the sale or dispensing of alcoholic  
6 beverages, beer, or wine for on-premises consumption in a private club that  
7 does not hold itself out to be a food service establishment.

8 (2) The sign shall be available on the website of the Alcoholic  
9 Beverage Control Division where documents associated with obtaining a liquor  
10 license or alcoholic beverage license are customarily located.

11 (3) To obtain a copy of the sign required to be posted under  
12 this section, the owners or operators of an establishment required to post  
13 the sign under this section shall:

14 (A) Print the poster from the website under subdivision  
15 (b)(3) of this section; or

16 (B) Request that the sign be mailed for the cost of  
17 printing and first-class postage.

18 (c)(1) If the board finds that the establishment has failed to post  
19 the information required under this section, the owner or operator shall  
20 receive:

21 (A) For a first violation, a warning; and

22 (B) For a second or subsequent violation, a fine not to  
23 exceed five hundred dollars (\$500).

24 (2) The violation of or noncompliance with this section, and  
25 each day's continuance thereof, shall constitute a separate and distinct  
26 violation.

27 (d) The board shall promulgate rules to implement this section.

28 (e) The board may enter into an interagency agreement with the Office  
29 of Alcohol and Drug Abuse Prevention regarding the funding necessary to  
30 implement this section.

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32 /s/Gillam

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35 **APPROVED: 04/16/2013**