

Act 617 of the 1989 Regular Session.

Act 617

HB1662

By: Representatives Fairchild and D. Wood

"AN ACT TO CREATE A POST EXCHANGE PACKAGE PERMIT TO BE REGULATED BY THE ALCOHOLIC BEVERAGE CONTROL DIVISION; AND FOR OTHER PURPOSES."

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

SECTION 1. In addition to all other existing alcoholic beverage permits authorized to be issued by the Arkansas Alcoholic Beverage Control Division for the retail sale of alcoholic beverages, there is hereby created a "Post Exchange Package Permit" which shall authorize the sales of spiritous, vinous, and malt beverages, light wine, light beer, premixed spiritous liquor, and light spiritous liquor, and Arkansas native wine, as such beverages are defined by Title 3 of the Arkansas Code of 1987 Annotated, at a post exchange facility located upon property owned by the State of Arkansas and operated by and under the exclusive control of the Military Department of Arkansas. The permit created herein shall not be subject to any quota restrictions.

SECTION 2. The permits authorized herein shall be issued by the Arkansas Alcoholic Beverage Control Division to qualified persons whose application for the permit shall be accompanied by a letter of authorization signed by the Adjutant General for the State of Arkansas.

SECTION 3. The permit shall be issued annually for a fee of one hundred dollars (\$100.00) and shall expire on June 30th of each and every year.

SECTION 4. The hours of lawful sales under the Post Exchange Package Permit shall be the same as those established for other classes of off-premises retail permits pursuant to Title 3 of the Arkansas Code of 1987 Annotated. All alcoholic beverages authorized to be sold herein shall be purchased from wholesale distributors licensed by the Arkansas Alcoholic Beverage Control Division.

SECTION 5. Sales of alcoholic beverages under the Post Exchange Package Permit shall be limited to those persons over the age of twenty-one (21) years, who are members of the Arkansas National Guard, members of a U.S. Military Reserve Component, members of a U.S. Military Active Component, retired members of any U.S. Military Active or Reserve Component or their dependents displaying appropriate identification.

SECTION 6. The Arkansas Alcoholic Beverage Control Division is authorized to adopt reasonable rules and regulations to carry out the intent and provisions of this act, to establish appropriate application forms, permit forms and procedures, and to do any and all other things necessary to implement the provisions of this act.

SECTION 7. Any unauthorized sales pursuant to the permit created herein shall be subject to the same penalties as established for other off-premises retail permits pursuant to Title 3 of the Arkansas Code of 1987 Annotated.

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

SECTION 9. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 16, 1989
