

As Engrossed: 2/11/93

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Hawkins**

A Bill

ACT 433 OF 1993
HOUSE BILL 1173

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 3-4-205 TO
9 CLARIFY THE LAW ALLOWING TRANSFER OF INTEREST IN RETAIL
10 LIQUOR PERMITS; AND FOR OTHER PURPOSES."

Subtitle

13 "TO CLARIFY THE LAW ALLOWING TRANSFER OF INTEREST IN
14 RETAIL LIQUOR PERMITS."

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

18 SECTION 1. Arkansas Code Annotated 3-4-205 is hereby amended to read as
19 follows:

20 "§ 3-4-205. Interest in other permits prohibited.

21 No retail liquor permit shall be issued, either as a new permit or as a
22 replacement of an existing permit, to any person, firm, or corporation if the
23 person, firm, or corporation has any interest in another retail liquor permit,
24 regardless of the degree of interest. However, notwithstanding this
25 prohibition, any retail liquor permits held by any person, firm, or
26 corporation on the effective date of Act 106 of 1971, which continue to be
27 held by any person, firm or corporation having such interest in more than one
28 such retail liquor permit on the effective date of this act, shall be vested
29 permits. For purposes of this section, the term *_vested permits_* is defined
30 as those multiple retail liquor permits which were lawfully issued to any
31 person, firm or corporation prior to the effective date of Act 106 of 1971.
32 *Holders of vested permits may not sell, convey, assign or devise any such*
33 *interest in multiple retail liquor permitted businesses to any person or*
34 *persons, firm or corporation which, on the date of any such transfer, already*
35 *has any ownership interest in a permitted retail liquor business. However,*
36 *holders of vested permits shall be allowed to sell, convey, assign or devise*

1 any such interest in multiple retail liquor permitted businesses to any other
2 person or persons, firm or corporation, thereby creating an ownership interest
3 in more than one (1) retail liquor permit to any such subsequent purchasers,
4 assignees, or devisees, without violating any of the provisions hereinabove."
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6 SECTION 2. It is the intent of this act to grant to those holders of
7 vested multiple retail liquor permits the same rights and privileges as
8 holders of single retail liquor permits regarding the sale, conveyance,
9 assignment or devise of such permitted businesses.
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11 SECTION 3. All provisions of this act of a general and permanent nature
12 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
13 Revision Commission shall incorporate the same in the Code.
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15 SECTION 4. If any provision of this act or the application thereof to
16 any person or circumstance is held invalid, such invalidity shall not affect
17 other provisions or applications of the act which can be given effect without
18 the invalid provision or application, and to this end the provisions of this
19 act are declared to be severable.
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21 SECTION 5. All laws and parts of laws in conflict with this act are
22 hereby repealed.
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25 */s/Bruce Hawkins*

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27 APPROVED: 03/10/93
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