

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 455 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 2397

4
5 By: Representative Moore
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For An Act To Be Entitled

8
9 AN ACT TO ALLOW WINE, BEER, AND SPIRITS TASTING
10 EVENTS; AND FOR OTHER PURPOSES.
11

Subtitle

12
13 TO ALLOW WINE, BEER, AND SPIRITS TASTING
14 EVENTS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 3-5-104. Wine tasting events.

20 (a)(1) Native wineries and licensed wine and spirits wholesalers, upon
21 prior approval by the Alcoholic Beverage Control Division, shall be allowed
22 to conduct wine tasting events for educational and promotional purposes at
23 any location in this state without obtaining a wine sampling permit under
24 this section if written notice is given to the division at least ten (10)
25 days prior to the event.

26 (2) Requests for approval to conduct wine tasting events must be
27 received by the division at least ten (10) days prior to the event.

28 (b)(1) A person, other than a native winery, licensed to sell wine,
29 beer, or spirits under a retail liquor permit as defined in § 3-4-604 may
30 conduct ~~wine~~ tasting events for educational and promotional purposes on the
31 person's premises after obtaining a ~~wine~~ sampling permit from the division as
32 provided in subsection (f) of this section.

33 (2)(A) Wine, beer, or spirits purchased by the person permitted
34 under this section to conduct a ~~wine~~ tasting event shall not be exempt from
35 the gross receipts and use ~~tax~~ taxes.



1 (B) If the person removes wine, beer, or spirits from his
2 or her inventory for use in a ~~wine~~ wine tasting event, the wine, beer, or spirits
3 shall be subject to the gross receipts ~~tax~~ taxes as a withdrawal from stock.

4 (3) A wholesaler may not:

5 (A) Offer special discounts on wine, beer, or spirits sold
6 for the purpose of a wine tasting event; or

7 (B) Provide wine, beer, or spirits without charge to a
8 person licensed to sell wine at retail for the purpose of a ~~wine~~ wine tasting
9 event.

10 (c) No ~~wine~~ wine tasting event may be held pursuant to this section in any
11 facility licensed by the division.

12 (d) No motor vehicle in which supplies for ~~wine~~ wine tasting events are
13 carried and no person ~~in possession of supplies for wine tasting events~~
14 ~~approved pursuant to this section~~ shall be subject to arrest nor shall the
15 supplies be subject to seizure for ~~overpossession~~ over possession in a dry
16 area.

17 (e) The criminal penalties for drinking in public as prescribed by §
18 5-71-212(c) are not applicable to any ~~wine~~ wine tasting event approved by the
19 division pursuant to this section.

20 (f)(1) The Director of the Alcoholic Beverage Control Division may
21 issue a ~~wine~~ wine sampling permit if the applicant:

22 (A) Is licensed by the director to sell wine, beer,
23 spirits, or any combination, at retail; and

24 (B) Pays a license fee of:

25 (1) Five hundred dollars (\$500) for either a wine
26 license, beer license, or spirits license; or

27 (2) ~~one~~ One thousand dollars (\$1,000) for a combined
28 wine, beer, and spirits license.

29 (2)(A) The ~~wine~~ wine sampling permit allows the person to conduct
30 ~~wine~~ wine tasting events on the person's premises during regular hours of
31 operation. A ~~wine~~ wine sampling permit shall expire on June 30 of each year.

32 (B) The ~~wine~~ wine samples shall be limited to a total of:

33 (A) ~~three~~ Three (3) one-half ounce (0.5 oz.) wine
34 servings per customer each day for on-premises consumption;

35 (B) Two (2) two ounce (2 oz.) beer servings per
36 customer each day for on-premises consumption; and

1 (C) Two (2) one-half ounce (0.5 oz.) spirit servings
2 per customer each day for on-premises consumption.

3 (3) The director may promulgate rules to administer and enforce
4 this section.

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6 **APPROVED: 3/22/2007**
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