

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 642 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/15/07

A Bill

HOUSE BILL 2448

5 *By: Representatives Harris, Woods*
6 *By: Senator B. Pritchard*
7

For An Act To Be Entitled

10 AN ACT AMENDING ARKANSAS CODE § 3-9-202
11 CONCERNING ADVERTISING AT LARGE ATTENDANCE
12 FACILITIES; AND FOR OTHER PURPOSES.
13

Subtitle

15 AN ACT AMENDING ARKANSAS CODE § 3-9-202
16 CONCERNING ADVERTISING AT LARGE
17 ATTENDANCE FACILITIES.
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19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Arkansas Code § 3-9-202(8)(B)(iii) and (iv), concerning
23 large attendance facilities permits, is amended to read as follows:

24 (iii) When a large attendance facilities permit has
25 been issued to a government-owned facility located in a county which has a
26 population of more than ~~three hundred thousand (300,000)~~ one hundred fifty-
27 five thousand (155,000) according to the ~~1990~~ 2000 Federal Decennial Census,
28 Arkansas-licensed beer wholesalers shall be allowed to pay for advertising
29 devices used at the government-owned facility. Such advertising devices shall
30 include items such as inside or outside signs, scoreboards, programs,
31 scorecards, and the like. Provided, if such advertising by the beer
32 wholesaler results in the formation or existence of an exclusive buying
33 arrangement by the large attendance facilities permittee and the wholesaler
34 who furnishes such items, then such an exclusive buying arrangement will be a
35 violation of the large attendance facilities permit and the wholesale beer



1 permit involved even if the arrangements are caused by third parties. To the
2 extent that § 3-5-214 or any other law could be interpreted to preclude such
3 advertising arrangements allowed in this subdivision (8)(B)(iii), they are
4 held inapplicable;

5 (iv)(a) When a large attendance facilities permit
6 has been issued to a facility owned or operated by the owner of a
7 professional sports team franchised by the National Association of
8 Professional Baseball Leagues and within a county that has a population of
9 more than ~~three hundred thousand (300,000)~~ one hundred fifty-five thousand
10 (155,000) according to the 2000 Federal Decennial Census, the operator of the
11 facility may accept sponsorship funds, advertising items, or promotional
12 items from licensed beer wholesalers. Promotional items shall include items
13 used by the facility to promote attendance.

14 (b) However, if the use of sponsorship funds,
15 advertising items, or promotional items by the beer wholesaler results in the
16 formation or existence of an exclusive buying arrangement by the large
17 attendance facilities permittee and the wholesaler who furnishes the
18 sponsorship funds, advertising items, or promotional items, then the
19 exclusive buying arrangement will be a violation of the large attendance
20 facilities permit and the wholesaler's wholesale beer permit even if the
21 arrangements are caused by third parties.

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/s/ Harris, et al

APPROVED: 3/28/2007