

Hall of the House of Representatives

87th General Assembly - Regular Session, 2009

Amendment Form

Subtitle of House Bill No. 1586

"TO PROVIDE CRIMINAL LIABILITY FOR A SOCIAL HOST WHO KNOWINGLY SERVES VISIBLY INTOXICATED PERSONS AND ALLOWS MINORS TO CONSUME ALCOHOL ON HIS OR HER PROPERTY."

Amendment No. 1 to House Bill No. 1586.

Amend House Bill No. 1586 as originally introduced:

Page 1, delete lines 10 through 14 and substitute:

"AN ACT TO PROVIDE CRIMINAL LIABILITY FOR A SOCIAL HOST WHO KNOWINGLY SERVES ALCOHOL TO PERSONS UNDER THE AGE OF TWENTY-ONE; WHO KNOWINGLY ALLOWS MINORS TO CONSUME ALCOHOL ON HIS OR HER PROPERTY; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 17 through 20 and substitute:

"TO PROVIDE CRIMINAL LIABILITY FOR A SOCIAL HOST WHO KNOWINGLY SERVES ALCOHOL TO PERSONS UNDER THE AGE OF TWENTY-ONE AND WHO KNOWINGLY ALLOWS MINORS TO CONSUME ALCOHOL ON HIS OR HER PROPERTY."

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 3, Chapter 3, Subchapter 2 is amended to add a new section to read as follows:

3-3-219. Social hosts - Criminal liability.

(a)(1) A person who exercises control over private property shall not knowingly allow a person under twenty-one (21) years of age who is not a child or ward of the person to:

(A) Consume alcohol on the private property; or

(B) Remain on the private property if the person under twenty-one (21) years of age consumes an alcoholic beverage on the property.

(2) This subsection applies only to a person who is present and in control of the private property at the time the consumption occurs.

(3) This subsection does not apply to the owner of rental



property or the agent of an owner of rental property unless the consumption occurs in the individual unit in which the owner or agent resides.

(b)(1) A first violation of this section is a Class C misdemeanor.

(2) A second violation of this section is a Class A misdemeanor.

(3) A third or subsequent violation of this section is a Class D felony.

(c) This section shall not prevent a township, city, or county from establishing by ordinance regulations more stringent than the provisions of this section."

The Amendment was read _____

By: Representative Allen

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Chief Clerk