

ARKANSAS SENATE
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of Senate Bill No. 374

TO AMEND THE ALCOHOLIC BEVERAGE LAW CONCERNING LOCAL OPTION ELECTIONS FOR A TERRITORIAL SUBDIVISION THAT IS LOCATED IN A WET COUNTY AND WAS VOTED DRY BY A DEFUNCT VOTING DISTRICT FROM INITIATED ACT 1 OF 1942.

Amendment No. 1 to Senate Bill No. 374

Amend Senate Bill No. 374 as originally introduced:

Page 2, delete lines 27 through 31 and replace with the following:

"(a)(1) Under subsection (b) of this section, an area within the boundaries of a defunct voting district may conduct an election to permit the manufacture and sale of alcoholic beverages identified in subdivision (a)(2) of this section."

AND

Page 3, delete lines 2 through 6 and replace with the following:

"(b) An election for an area within the boundaries of a defunct voting district to permit the manufacture and sale of the alcoholic beverages identified in subdivision (a)(2) of this section shall be held as follows:"

AND

Page 3, line 7, delete "judge of the county court" and substitute "quorum court"

AND

Page 3, delete line 16 and replace with the following:

"becoming dry; and"

AND

Page 3, delete lines 20-25 and replace with the following:

"(b) The boundaries of the defunct voting district shall be based on county records."

AND



Page 3, delete lines 26 through 35 and replace with the following:

"(2)(A) The election shall be submitted to the voters residing within the boundaries of the defunct voting districts identified in the quorum court's resolution.

(B) A majority vote of the qualified electors residing within the boundaries of the defunct voting districts identified in the quorum court's resolution shall determine whether or not alcoholic beverages may be sold or manufactured under subdivision (a)(2) of this section within the boundaries of the defunct voting district;

(3)(A) The question shall be placed upon the ballot and submitted to the voters within the boundaries of the defunct voting district identified in the quorum court's resolution and be conducted in the manner provided by § 3-8-206."

AND

Page 4, delete lines 5 through 24 and replace with the following:

"(4) The precincts and polling sites to be utilized for conducting elections under this section shall be established by the county board of election commissioners based upon the boundaries set forth in the quorum court resolution. The county board of election commissioners shall issue an order no later than thirty (30) days prior to the election, containing a written description and a map of the boundaries of the precinct established for purposes of the election to be held under this section.

(c) If a defunct voting district is located entirely within the boundaries of a larger defunct voting district, a vote will be held only for the larger defunct voting district.

(1)(A) If two (2) defunct voting districts overlap, whether or not alcoholic beverages may be sold or manufactured under subdivision (a)(2) of this section within that geographical area located in both defunct districts will be determined by the majority vote of the voters within the boundaries of the defunct voting district that first held the local option election resulting in its dry status."

AND

Page 4, line 29, delete "judge of the county court" and substitute "quorum court"

AND

Pages 4, delete lines 33-36 and replace with the following:

"(3) The majority vote of all the voters residing within the boundaries of the defunct voting district identified in the quorum court's resolution shall determine the local option status of only the geographic area located within the boundaries of that particular defunct voting district."

AND

Page 5, delete line 1.

AND

Page 5, delete lines 7 through 10 and replace with the following:

"(e)(1) The quorum court in a county with a defunct voting district qualified under subdivision (a)(1) of this section shall order a local option election under subsection (b) of this section within ninety (90) days of the effective date of this act."

AND

Page 5, line 11, delete "county court" and substitute "quorum court"

AND

Page 5, delete lines 18 through 36 and replace with the following:

"(B)(i) The signatures required under §§ 3-8-204 - 3-8-205 for the defunct voting district shall be obtained from qualified electors residing within the boundaries of the defunct voting district.

(ii) Upon the request of a registered voter of the county, the quorum court shall issue a resolution containing the information required under subdivision (b)(1)(B) of this section so that signatures may be obtained from qualified electors residing within the boundaries of the defunct voting district."

(f)(1) If a local option election is conducted under subsection (b) of this section and the majority vote of the qualified electors is against the manufacture or sale of intoxicating liquors identified in subdivision (a)(2) of this section in the defunct voting district, then a subsequent special local option election for that defunct voting district may be held pursuant to the process set forth in subsection (e) of this section.

(2) An election under this subdivision (f)(1) of this section shall not be held in the same defunct voting district until a period of two (2) years has elapsed since the special local option election conducted under subsection (b) of this section."

AND

Page 6, delete line 1.

AND

Page 6, line 5, delete "county court" and substitute "quorum court"

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. English

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Secretary