

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.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1586

4  
5 By: Representative Allen  
6 By: Senator B. Pritchard

## For An Act To Be Entitled

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10 AN ACT TO PROVIDE CRIMINAL LIABILITY FOR A SOCIAL  
11 HOST WHO KNOWINGLY SERVES VISIBLY INTOXICATED  
12 PERSONS; WHO KNOWINGLY ALLOWS MINORS TO CONSUME  
13 ALCOHOL ON HIS OR HER PROPERTY; AND FOR OTHER  
14 PURPOSES.

## Subtitle

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

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

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

27 3-3-219. Social hosts - Criminal liability.

28 (a)(1) A person shall not knowingly sell, give, or otherwise make  
29 available an alcoholic beverage to a person who is visibly intoxicated.

30 (2) This subsection does not prohibit a licensee under this  
31 title from allowing a person who is visibly intoxicated from remaining on the  
32 licensed premises so long as the person is not sold or served an alcoholic  
33 beverage.

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



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(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.

(c)(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.