

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas *As Engrossed: H3/14/17 H3/23/17 H3/29/17*

2 91st General Assembly

# A Bill

3 Regular Session, 2017

HOUSE BILL 2151

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5 By: Representative Penzo

6 By: Senator J. Hutchinson

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## For An Act To Be Entitled

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AN ACT TO AMEND THE LAW REGARDING RETAIL LIQUOR STORE

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PERMITS; AND FOR OTHER PURPOSES.

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## Subtitle

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TO AMEND THE LAW REGARDING RETAIL LIQUOR

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STORE PERMITS.

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

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20 *SECTION 1. Arkansas Code Title 3, Chapter 4, Subchapter 4, is amended*

21 *to add an additional section to read as follows:*

22 *3-4-408. Wholesaler authorized to extend credit.*

23 *(a) A wholesaler may extend credit on distilled spirits and wine sold*

24 *to a retail liquor permit holder for a period not to exceed thirty (30) days*

25 *from the date of invoice, with the date of invoice included in the total*

26 *number of days.*

27 *(b) When the thirty-day period under subsection (a) of this section*

28 *has passed without payment in full, sales or deliveries of distilled spirits*

29 *or wine shall not be made by a wholesaler to a retailer whose name appears on*

30 *the list of credit extended under subsection (a) of this section.*

31 *(c) Once payment in full has been made by the delinquent retailer to*

32 *the reporting wholesaler, the reporting wholesaler shall notify the Alcoholic*

33 *Beverage Control Division within twenty-four (24) hours that payment has been*

34 *made.*

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1 SECTION 2. Arkansas Code § 3-5-1801, concerning definitions for wine  
2 sales in grocery stores, is amended to read as follows:

3 3-5-1801. Definitions.

4 As used in this subchapter:

5 (1) "Basic cost of wine" means the invoice cost of wine to the  
6 retailer in the quantity last purchased from the wholesaler at prices  
7 generally available in the marketplace, absent any cash or other discounts,  
8 incentives or concessions that are offered within or outside of this state,  
9 to which shall be added the full face value of any taxes, freight or delivery  
10 fees that may be required by any tax law of this state imposed upon wine  
11 supplied to retailers now in effect or hereafter enacted, and any other taxes  
12 or fees imposed by this title, if not already included by the wholesaler in  
13 this price;

14 (2) "Cost of doing business by the retailer" means forty percent  
15 (40%) of the basic cost of wine to the retailer;

16 (3) "Cost to the retailer" means the basic cost of wine to the  
17 retailer plus the cost of wine to the retailer;

18 ~~(1)~~(4) "Grocery store" means a single physical establishment  
19 that:

20 (A) Has an inventory of human-consumable items; and

21 (B) Is located in a wet territory;

22 ~~(2)~~(5) "Slotting allowance" means an allowance paid by a  
23 manufacturer to a grocery store for making room for a product on the grocery  
24 store's shelves; and

25 ~~(3)~~(6) "Wine" means port, wine, sherry wine, vermouth wine, or  
26 other wines manufactured within or without the State of Arkansas, the  
27 alcoholic content of which does not exceed twenty-one percent (21%).

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29 /s/Penzo  
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