A Bill

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING MICROBREWERY-RESTAURANTS; TO AUTHORIZE THE GOVERNING BODY OF A COUNTY OR MUNICIPALITY IN A DRY AREA TO INITIATE THE PERMITTING PROCESS FOR A MICROBREWERY-RESTAURANT LICENSE; TO AMEND PORTIONS OF THE LAW RESULTING FROM INITIATED ACT 1 OF 1942; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO AMEND THE LAW REGARDING MICROBREWERY-RESTAURANTS; TO AUTHORIZE THE GOVERNING BODY IN A DRY AREA TO INITIATE THE PERMITTING PROCESS; AND TO AMEND THE LAW RESULTING FROM INITIATED ACT 1 OF 1942.

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

SECTION 1. Arkansas Code § 3-5-1204(b), concerning the issuance of a microbrewery-restaurant license in a dry area, is amended to read as follows:

(b) The director shall not may issue a microbrewery-restaurant license if the microbrewery-restaurant premises are in a dry area and the governing body of the county or municipality has approved by ordinance the application of the microbrewery-restaurant.

SECTION 2. Arkansas Code § 3-5-1206 is amended to read as follows:

3-5-1206. Licenses — Application.

(a) No A microbrewery-restaurant license shall not be issued unless
the applicant shall file with the Director of the Alcoholic Beverage Control Division a verified application, in such form and with such content as the director requires, accompanied by payment of the applicable fee.

(b) If the proposed microbrewery-restaurant is located in a dry area, the governing body of the county or municipality must approve the microbrewery-restaurant license applicant under § 3-5-1204.

SECTION 3. Arkansas Code § 3-8-209(a), concerning the penalty for the sale or furnishing a place to sell alcoholic beverages in a dry area resulting from Initiated Act 1 of 1942, is amended to read as follows:

(a) It shall be Except as provided in § 3-5-1204, it is unlawful for any person, firm, or corporation to manufacture, sell, barter, loan, or give away intoxicating liquor in any county, township, municipality, ward, or precinct in which the manufacture or sale of intoxicating liquor is or shall be prohibited under the provisions of Initiated Act No. 1 of 1942, §§ 3-8-201 – 3-8-203 and 3-8-205 – 3-8-209.