

1 State of Arkansas As Engrossed: H3/22/21 H3/29/21

2 93rd General Assembly

A Bill

3 Regular Session, 2021

HOUSE BILL 1763

4

5 By: Representatives Christiansen, Warren, Cozart, Haak, D. Garner, Rye, Tollett, Penzo

6 By: Senators L. Eads, C. Tucker, Hill, G. Leding

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For An Act To Be Entitled

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AN ACT TO AMEND THE LAW REGARDING ARKANSAS

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DISTILLERIES; TO AUTHORIZE SELF-DISTRIBUTION; TO

11

AUTHORIZE OUT-OF-STATE DIRECT TO CONSUMER SHIPMENTS;

12

TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

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14

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Subtitle

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TO AMEND THE LAW REGARDING ARKANSAS

17

DISTILLERIES; TO AUTHORIZE SELF-

18

DISTRIBUTION; TO AUTHORIZE OUT-OF-STATE

19

DIRECT TO CONSUMER SHIPMENTS; AND TO

20

DECLARE AN EMERGENCY.

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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 § 3-4-602(g), concerning the alcoholic

26 beverage permit for distillers or manufacturers, is amended to read as

27 follows:

28 (g) Under rules adopted by the director, a distiller or manufacturer

29 may:

30 (1) Sell, deliver, or transport to wholesalers;

31 (2) Sell, deliver, or transport to rectifiers;

32 (3) ~~Export out of the state;~~ Sell, deliver, or transport to

33 licensed retailers not more than fifteen thousand (15,000) nine-liter-

34 equivalent cases or thirty-five thousand six hundred sixty-seven gallons

35 (35,667 gals.) of spirituous liquors per year;

36 (4) Export out of the state;



1 (5) Ship directly to consumers outside this state, where receipt
2 is allowed;

3 ~~(4)~~(6) Sell for off-premises consumption spirituous or vinous
4 liquors the distiller or manufacturer manufactures *on any day of the week*;

5 ~~(5)~~(7) Serve on the premises complimentary samples of liquors
6 produced by the distiller or manufacturer;

7 ~~(6)~~(8) Sell at retail, by the drink or by the package,
8 spirituous or vinous liquors produced on the premises of the distillery if
9 all sales occur in a wet territory; and

10 ~~(7)~~(9) Sell for consumption on the premises of the manufacturer:

11 (A) Liquors produced by the manufacturer or liquors that
12 the manufacturer may purchase from wholesalers licensed by the state;

13 (B) Wine;

14 (C) Beer; and

15 (D) Malt liquor.

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17 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
18 General Assembly of the State of Arkansas that this act is essential to the
19 preservation of the public peace, health, and safety and to the operation of
20 the alcohol laws in the State of Arkansas; that this act eliminates
21 conflicting language and allows consistent application of alcohol laws; that
22 this act is immediately necessary due to the substantial growth and continued
23 expansion of the distilling industry in Arkansas; that clear and consistent
24 application of the law to the distilling industry is in the public's
25 immediate interest as is controlling the distribution of alcoholic beverages
26 within the state. Therefore, an emergency is declared to exist, and this act
27 being immediately necessary for the preservation of the public peace, health,
28 and safety shall become effective on:

29 (1) The date of its approval by the Governor;

30 (2) If the bill is neither approved nor vetoed by the Governor,
31 the expiration of the period of time during which the Governor may veto the
32 bill; or

33 (3) If the bill is vetoed by the Governor and the veto is
34 overridden, the date the last house overrides the veto.

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36 /s/Christiansen