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**Section 1.79 (20) *Unauthorized Manufacture, Sale, Offer, Dispensing, Gift, or Possession of Controlled Beverage.*** The permittee manufactured, sold, offered for sale, dispensed, gave away, or possessed any controlled beverage not authorized to be manufactured, sold, offered for sale, dispensed, given away or possessed under the permit held by the permittee or allowed any of the foregoing on the permitted premises by any employee or patron; ~~(Amended 12-15-89)~~ Nothing under this section shall prohibit “home brewed beer” as defined in accordance with ACA 3-5-202 (5) (A), to be allowed on a permitted premises for organized affairs, exhibitions, competitions, and tastings, but not for sale, if tastings or samplings are allowed under the permittee’s permit.

**SUMMARY OF SUBSTANTIVE CHANGES**

Act 861 of 2019 amended ACA 3-5-202 (5) (A) and 3-5-205 (f) (1) to allow “home-brewed beer” to be removed from the manufacturer’s premises and taken to organized affairs, exhibitions, competitions, and tastings. Rule 1.79 (20) is amended to allow this legislative change.

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1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1877

5 By: Representative D. Ferguson  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE DEFINITION OF "HOME-BREWED BEER";  
9 TO AUTHORIZE A MANUFACTURER OF HOME-BREWED BEER TO  
10 REMOVE HOME-BREWED BEER FROM THE MANUFACTURER'S  
11 PREMISES FOR PERSONAL OR FAMILY USE, INCLUDING  
12 ORGANIZED AFFAIRS, EXHIBITIONS, COMPETITIONS, AND  
13 TASTINGS; AND FOR OTHER PURPOSES.  
14

## Subtitle

15  
16 TO AMEND THE DEFINITION OF "HOME-BREWED  
17 BEER"; AND TO AUTHORIZE A MANUFACTURER OF  
18 HOME-BREWED BEER TO REMOVE HOME-BREWED  
19 BEER FROM THE MANUFACTURER'S PREMISES FOR  
20 PERSONAL OR FAMILY USE.  
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
25

26 SECTION 1. Arkansas Code § 3-5-202(5)(A), concerning the definition of  
27 "home-brewed", is amended to read as follows:

28 (5)(A) ~~"Home-brewed"~~ "Home-brewed beer" means beer, ~~made from~~  
29 ~~malted barley, wheat, or cereal grains, or any substitute therefor, and~~  
30 ~~having an alcoholic content not in excess of five percent (5%) by weight,~~  
31 ~~brewed for consumption by the manufacturer and his or her family and guests,~~  
32 ~~but not for sale~~ ale, porter, stout, and other similar fermented beverages  
33 containing one-half of one percent (0.5%) or more of alcohol by volume brewed  
34 or produced from malt, wholly or in part, or from a substitute for malt, for  
35 consumption but not for sale.  
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1 SECTION 2. Arkansas Code § 3-5-205(f)(1), concerning the exception to  
2 the privilege tax for a manufacturer of home-brewed beer, is amended to add  
3 an additional subdivision to read as follows:

4 (D) Home-brewed beer may be removed from the  
5 manufacturer's premises for personal or family use, including without  
6 limitation, for organized affairs, exhibitions, competitions, and tastings.  
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9 **APPROVED: 4/10/19**  
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