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Section 1.33 (6) ***Permits Not To Be Issued To Premises Within The Following Stated Distances From Church Or School***

Building Schoolhouse. No permit for the sale or dispensing of alcoholic beverages shall be issued nor any existing permit transferred to any location within the following prohibited distances of any church or school ~~buildingschoolhouse~~, such distances to be calculated based upon the existence of the church or school building at the time the application is accepted by the agency for processing:

- A. ***Retail Liquor Permit.*** One thousand (1000) feet to be measured from the nearest property line point of the church or school building to the nearest property line point of the building sought to be permitted.
- B. ***Off Premises Retail Beer Permit to be Issued to Retail Liquor Store.*** One thousand (1000) feet to be measured from the nearest property line point of the church or school building to the nearest property line point of the building sought to be permitted.
- C. ***Exception for Retail Liquor Store Outlets Which are Within One Thousand Feet of a Church or School Building on the Date of August 13, 2001. Repealed 9-16-15***

For purposes of this ~~Regulation~~Rule “church” means a church and all immediately adjacent property owned or leased by the church that is used for church purposes.

For purposes of this Rule, “Schoolhouse” means a facility owned and operated by a public or private school or an open-enrollment charter school as well as a public or private daycare facility licensed by the State of Arkansas.

SUMMARY OF SUBSTANTIVE CHANGES

Act 983 of 2019 replaces the term School Building with and defines the term “schoolhouse.”

1 State of Arkansas As Engrossed: H2/25/19 H2/26/19 S4/4/19 S4/9/19

2 92nd General Assembly

A Bill

3 Regular Session, 2019

HOUSE BILL 1385

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5 By: Representative J. Mayberry

6 By: Senator K. Hammer

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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW TO CREATE A DEFINITION OF
10 "SCHOOLHOUSE" WITH REGARD TO BUSINESSES REGULATED BY
11 THE ALCOHOLIC BEVERAGE CONTROL BOARD; AND FOR OTHER
12 PURPOSES.

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Subtitle

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TO AMEND THE LAW TO CREATE A DEFINITION
17 OF "SCHOOLHOUSE" WITH REGARD TO
18 BUSINESSES REGULATED BY THE ALCOHOLIC
19 BEVERAGE CONTROL BOARD.

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

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24 SECTION 1. Arkansas Code Title 3, Chapter 2, Subchapter 1, is amended
25 to add an additional section to read as follows:

26 3-2-104. Definition of "schoolhouse".

27 (a) For all businesses regulated under this title by the Alcohol
28 Beverage Control Board that are licensed or permitted after the effective
29 date of this act, "schoolhouse" means:

30 (1) A facility owned and operated by a public or private school
31 or an open-enrollment charter school; and

32 (2) A public or private daycare facility licensed by the State
33 of Arkansas.

34 (b) "Schoolhouse" does not include a home school.

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36 SECTION 2. Arkansas Code § 3-4-206(a), concerning definitions



1 regarding the operation of a retail liquor business near a church or
2 schoolhouse, is amended to read as follows:

3 (a) As used in this section, ;

4 (1) ~~“church”~~ “Church” means a church and all immediately
5 adjacent property owned or leased by the church that is used for church
6 purposes ; and

7 (2)(A) “Schoolhouse” means:

8 (i) A facility owned and operated by a public or private
9 school or an open-enrollment charter school; and

10 (ii) A public or private daycare facility licensed by the
11 State of Arkansas.

12 (B) “Schoolhouse” does not include a home school.

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15 /s/J. Mayberry

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18 **APPROVED: BECAME LAW ON 4/15/19 WITHOUT THE GOVERNOR’S SIGNATURE.**

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