

## **MARKUP COPY**

**Section 2.28 (13) *Advertising and Promotion Materials; Exception for Racing Facilities and for Nonprofit Entities holding a Large Attendance Facility Permit.*** As an exception to Section 2.28(4) of these Regulations, any manufacturer or wholesaler may pay for the display or other presentation of advertising and promotion materials on or about the premises of the holder of a franchise granted by the Arkansas Racing Commission. In addition, any manufacturer may provide sponsorship of or payment for the display or other presentation of advertising and promotional material on or about the premises of the holder of a Large Attendance Facility permit, as defined by ACA § 3-9-202 (16), owned by a qualifying charitable nonprofit organization that has received tax exempt status under 26 U.S.C. § 501 (c)(3).

## **SUMMARY OF SUBSTANTIVE CHANGES**

Act 744 of 2019 amended ACA § 3-3-212 to allow a manufacturer to sponsor and provide advertising material to nonprofit entities holding a Large Attendance Facility Permit. Rule 2.28(13) is amended to reflect those changes.

## **Clean copy**

(13) ***Advertising and Promotion Materials; Exception for Racing Facilities and for Nonprofit Entities holding a Large Attendance Facility Permit.*** As an exception to Section 2.28(4) of these Rules, any manufacturer or wholesaler may pay for the display or other presentation of advertising and promotion materials on or about the premises of the holder of a franchise granted by the Arkansas Racing Commission. In addition, any manufacturer may provide sponsorship of or payment for the display or other presentation of advertising and promotional material on or about the premises of the holder of a Large Attendance Facility permit, as defined by ACA § 3-9-202 (16), owned by a qualifying charitable nonprofit organization that has received tax exempt status under 26 U.S.C. § 501 (c)(3).

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

# A Bill

SENATE BILL 586

5 By: Senator G. Leding  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE ALCOHOLIC BEVERAGE LAWS TO ALLOW  
9 A MANUFACTURER TO SPONSOR AND PROVIDE ADVERTISING  
10 MATERIALS TO A NONPROFIT ENTITY HOLDING A LARGE  
11 ATTENDANCE FACILITY PERMIT; AND FOR OTHER PURPOSES.  
12  
13

## Subtitle

14 TO ALLOW A MANUFACTURER TO SPONSOR AND  
15 PROVIDE ADVERTISING MATERIALS TO A  
16 NONPROFIT ORGANIZATION HOLDING A LARGE  
17 ATTENDANCE FACILITY PERMIT.  
18  
19  
20

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

23 SECTION 1. Arkansas Code § 3-3-212(c), concerning exclusions from the  
24 prohibited practices of a manufacturer-seller relationship, is amended to  
25 read as follows:

26 (c) Subsections (a) and (b) of this section shall not apply to ~~any~~ an  
27 agreement or arrangement by ~~a~~ a;

28 (1) A manufacturer or wholesaler to pay for the display or other  
29 presentation of advertising and promotional material on or about the premises  
30 of the holder of a franchise granted by the Arkansas Racing Commission; or

31 (2) A manufacturer providing sponsorship of or payment for the  
32 display or other presentation of advertising and promotional material on or  
33 about the premises of a large attendance facility, as defined by § 3-9-  
34 202(16), owned by a qualifying charitable nonprofit organization that has  
35 received tax exempt status under 26 U.S.C. § 501(c)(3), as in effect on  
36 January 1, 2019.

APPROVED: 4/5/19

