

## **MARKUP COPY**

**Section 5.91 Advertising for a microbrewery-restaurant private club in a dry area.** A microbrewery-restaurant private club shall not use advertising media to promote the consumption and use of alcoholic beverages or to advertise or announce the price of service of alcoholic beverages for on-premises consumption in a county where voters have not authorized the sale of intoxicating liquor in a local option election.

## **SUMMARY OF SUBSTANTIVE CHANGES**

Act 885 of 2021 created the ability of Microbrewery Private Clubs to advertise for social functions for general interest.

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**Section 5.91 Advertising for a microbrewery-restaurant private club in a dry area.** A microbrewery-restaurant private club shall not use advertising media to promote the consumption and use of alcoholic beverages or to advertise or announce the price of service of alcoholic beverages for on-premises consumption in a county where voters have not authorized the sale of intoxicating liquor in a local option election.

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

# A Bill

HOUSE BILL 1845

5 By: Representative Perry  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW REGARDING MICROBREWERY-  
9 RESTAURANT PRIVATE CLUBS; TO AMEND THE LAW REGARDING  
10 ADVERTISING BY MICROBREWERY-RESTAURANT PRIVATE CLUBS;  
11 AND FOR OTHER PURPOSES.  
12  
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## Subtitle

14 TO AMEND THE LAW REGARDING MICROBREWERY-  
15 RESTAURANT PRIVATE CLUBS; AND TO AMEND  
16 THE LAW REGARDING ADVERTISING BY  
17 MICROBREWERY-RESTAURANT PRIVATE CLUBS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 3-5-1904, concerning the scope and  
24 restrictions of a microbrewery-restaurant private club permit, is amended to  
25 add additional subsections to read as follows:

26 (d) A microbrewery-restaurant private club, as described in this  
27 subchapter, shall not use advertising media to promote the consumption and  
28 use of alcoholic beverages or to advertise or announce the price of service  
29 of alcoholic beverages for on-premises consumption in a county where voters  
30 have not authorized the sale of intoxicating liquor in a local option  
31 election under Initiated Act No. 1 of 1942, as amended, §§ 3-8-201 – 3-8-203,  
32 and 3-8-205 – 3-8-209.

33 (e)(1) A microbrewery-restaurant private club, regardless of whether  
34 or not the voters in the county authorized the sale of intoxicating liquor in  
35 a local option election, shall be entitled to use advertising media to  
36 advertise or announce social functions of general interest, including without



1 limitation:

2 (A) A golf tournament;

3 (B) A charity ball;

4 (C) An entertainment event; or

5 (D) A similar activity.

6 (2) The social function shall be held within the confines of the  
7 microbrewery-restaurant private club property.

8 (3) The advertising for the social function shall be preceded by  
9 the words "Notice to Members" and the name of the club or organization  
10 sponsoring the social activity.

11 (f) A microbrewery-restaurant private club located in a wet county or  
12 area is not prohibited from advertising under this section.

13 (g) As used in this section, "intoxicating liquor" means a beverage  
14 containing more than five-tenths of one percent (0.5%) of alcohol by weight.

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17 **APPROVED: 4/25/21**  
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