

## **MARKUP COPY**

Section 1.19(3) **Beer Wholesale Permit** authorizes the purchase of beer, malt liquor, or spiritous liquor beverages, classified as ready-to-drink products containing spiritous liquor with a final finished product of no greater than fifteen percent (15%) alcohol by weight, from a licensed manufacturer or importer and the sale thereof to persons holding permits to sell such products for consumption on or off the premises.

### **SUMMARY OF SUBSTANTIVE CHANGES**

Act 578 of 2021 authorizes beer wholesalers to purchase and sell spiritous liquor beverages classified as ready-to-drink products containing spiritous liquor with a final finished product of no greater than fifteen percent (15%) alcohol by weight.

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Section 1.19(3) **Beer Wholesale Permit** authorizes the purchase of beer, malt liquor, or spiritous liquor beverages, classified as ready-to-drink products containing spiritous liquor with a final finished product of no greater than fifteen percent (15%) alcohol by weight, from a licensed manufacturer or importer and the sale thereof to persons holding permits to sell such products for consumption on or off the premises.

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

As Engrossed: S3/29/21

# A Bill

SENATE BILL 554

5 By: Senator M. Johnson  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW REGARDING ALCOHOLIC  
9 BEVERAGES; TO AUTHORIZE BEER WHOLESALERS TO  
10 DISTRIBUTE CERTAIN READY-TO-DRINK PRODUCTS; AND FOR  
11 OTHER PURPOSES.  
12  
13

## Subtitle

14 TO AMEND THE LAW REGARDING ALCOHOLIC  
15 BEVERAGES; AND TO AUTHORIZE BEER  
16 WHOLESALERS TO DISTRIBUTE CERTAIN READY-  
17 TO-DRINK PRODUCTS.  
18  
19  
20

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

23 *SECTION 1. Arkansas Code § 3-2-403(b), concerning manufacturers,*  
24 *importers, or producers of spirituous and vinous beverages, is amended to add*  
25 *an additional subdivision to read as follows:*

26 *(3) Spirituous liquor beverages classified as a ready-to-drink*  
27 *product containing spirituous liquor with a final finished product of no*  
28 *greater than fifteen percent (15%) alcohol by weight may be registered under*  
29 *§ 3-2-409 pursuant to rules adopted by the division.*  
30

31 *SECTION 2. Arkansas Code § 3-2-409 is amended to read as follows:*

32 *3-2-409. Beer, malt products, or light wine.*

33 *(a)(1) Every manufacturer or importer of beer or other malt products*  
34 *or light wine doing business in the State of Arkansas shall submit to the*  
35 *Alcoholic Beverage Control Division one (1) label for each brand of beer or*  
36 *malt product or light wine to be shipped for the first time into or within*



1 the state and shall designate within the application for registration any  
 2 number of wholesalers in the state, each of whom shall be the exclusive  
 3 distributor of such brand within the geographical territory assigned by the  
 4 manufacturer or importer to such wholesaler.

5 (2) A wholesaler of beer and light wine may sell:

6 (A) Ready-to-drink products containing spirituous liquor  
 7 with a final finished product of no greater than fifteen percent (15%)  
 8 alcohol by weight; and

9 (B) Malt liquor.

10 (b) Transfers of brands of malt products or light wine or changes in  
 11 geographical distribution areas assigned shall not be subject to the  
 12 provisions set out above for spirituous or vinous products so long as any  
 13 such manufacturer or importer has complied with the filing provisions of  
 14 applicable law.

15 (c) This section does not create a dual distributorship.

16 (d) The division shall promulgate rules regarding the distribution of  
 17 ready-to-drink products containing spirituous liquor with a final finished  
 18 product of no greater than fifteen percent (15%) alcohol by weight and malt  
 19 liquor.

20  
 21 SECTION 3. Arkansas Code § 3-5-101 is amended to read as follows:

22 3-5-101. Wholesaler of beer and light wine may sell malt liquor and  
 23 certain ready-to-drink products.

24 A person, firm, or corporation having a permit to sell beer and light  
 25 wine at wholesale shall be permitted to sell to liquor retailers:

26 (1) ~~malt~~ Malt liquor containing greater than five percent (5%)  
 27 of alcohol by weight; and

28 (2) Ready-to-drink products containing spirituous liquor with a  
 29 final finished product of no greater than fifteen percent (15%) alcohol by  
 30 weight.

31  
 32 SECTION 4. DO NOT CODIFY. Rules.

33 (a) When adopting the initial rules required under this act, the  
 34 Alcoholic Beverage Control Division shall file the final rules with the  
 35 Secretary of State for adoption under § 25-15-204(f):

36 (1) On or before July 1, 2022; or

