

Hall of the House of Representatives
86th General Assembly - Regular Session, 2007
Amendment Form

Subtitle of House Bill No. 2448

"AN ACT AMENDING ARKANSAS CODE 3-9-202 CONCERNING EXCLUSIVE BUYING
ARRANGEMENTS."

Amendment No. 1 to House Bill No. 2448.

Amend House Bill No. 2448 as originally introduced:

Page 1, delete line 5 and substitute the following:

"By: Representative Harris, Woods
By: Senator Pritchard"

AND

Page 1, delete lines 9 through 11 and substitute the following:

"AN ACT AMENDING ARKANSAS CODE § 3-9-202 CONCERNING ADVERTISING AT LARGE
ATTENDANCE FACILITIES; AND FOR OTHER PURPOSES."

AND

Page 1, delete lines 14 through 16 and substitute the following:

"AN ACT AMENDING ARKANSAS CODE § 3-9-202 CONCERNING ADVERTISING AT LARGE
ATTENDANCE FACILITIES."

AND

Delete everything following the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 3-9-202(8)(B)(iii) and (iv), concerning
large attendance facilities permits, is amended to read as follows:

(iii) When a large attendance facilities permit has
been issued to a government-owned facility located in a county which has a
population of more than ~~three hundred thousand (300,000)~~ one hundred fifty-
five thousand (155,000) according to the ~~1990~~ 2000 Federal Decennial Census,
Arkansas-licensed beer wholesalers shall be allowed to pay for advertising
devices used at the government-owned facility. Such advertising devices shall
include items such as inside or outside signs, scoreboards, programs,
scorecards, and the like. Provided, if such advertising by the beer
wholesaler results in the formation or existence of an exclusive buying
arrangement by the large attendance facilities permittee and the wholesaler
who furnishes such items, then such an exclusive buying arrangement will be a



violation of the large attendance facilities permit and the wholesale beer permit involved even if the arrangements are caused by third parties. To the extent that § 3-5-214 or any other law could be interpreted to preclude such advertising arrangements allowed in this subdivision (8)(B)(iii), they are held inapplicable;

(iv)(a) When a large attendance facilities permit has been issued to a facility owned or operated by the owner of a professional sports team franchised by the National Association of Professional Baseball Leagues and within a county that has a population of more than ~~three hundred thousand (300,000)~~ one hundred fifty-five thousand (155,000) according to the 2000 Federal Decennial Census, the operator of the facility may accept sponsorship funds, advertising items, or promotional items from licensed beer wholesalers. Promotional items shall include items used by the facility to promote attendance.

(b) However, if the use of sponsorship funds, advertising items, or promotional items by the beer wholesaler results in the formation or existence of an exclusive buying arrangement by the large attendance facilities permittee and the wholesaler who furnishes the sponsorship funds, advertising items, or promotional items, then the exclusive buying arrangement will be a violation of the large attendance facilities permit and the wholesaler's wholesale beer permit even if the arrangements are caused by third parties."

The Amendment was read _____
By: Representative Harris
MBM/CDS - 03-14-2007 12:35
MBM672

Chief Clerk