

Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

Amendment Form

Subtitle of House Bill No. 2754

"AN ACT CONCERNING THE SALE OF ALCOHOLIC BEVERAGES AT CERTAIN LARGE
ATTENDANCE FACILITIES."

Amendment No. 1 to House Bill No. 2754.

Amend House Bill No. 2754 as originally introduced:

Delete everything following the enacting clause and substitute the following:

“SECTION 1. Arkansas Code § 3-3-210(a), concerning sales of alcoholic beverages on Sunday or early weekday mornings, is amended to read as follows:

(a)(1) Any person who shall sell intoxicating alcoholic liquor on Sunday, except as such sales are authorized by §§ 3-9-215, 3-9-216, and 3-9-401 et seq., or between 1:00 a.m. and 7:00 a.m. on weekdays shall be guilty of a violation and for the first offense be punished by a fine of not less than one hundred dollars (\$100) nor more than two hundred fifty dollars (\$250).

(2) For the second and subsequent offenses, the person shall be guilty of a Class B misdemeanor.

SECTION 2. Arkansas Code Title 3, Chapter 9, Subchapter 2 is amended to add an additional section to read as follows:

3-9-216. Authorization of sales on Sundays for certain large attendance facilities.

(a) Large attendance facilities under § 3-9-202(8)(B) in which pari-mutuel wagering has been authorized and which have a valid and current license or permit to sell alcoholic beverages for consumption on their premises may sell alcoholic beverages on Sundays between the hours of 12:00 a.m. and 2:00 a.m. in addition to other times authorized by law for selling alcoholic beverages for consumption on the premises.

(b) This section shall not be construed to:

(1) Authorize the sale of alcoholic beverages in any city or county or in any portion of a city or county in which the sale of alcoholic beverages is prohibited by law; or

(2) Repeal or modify any law that prohibits the sale of intoxicating alcoholic liquor, beer, or wine on Sunday unless the law specifically conflicts with this section.

SECTION 3. Arkansas Code § 3-9-404(b)(2), concerning permits to sell



alcoholic beverages for on-premises consumption on Sundays, is amended to read as follows:

(2) It is:

(A) ~~located~~ Located in a city or county where Sunday sale of alcoholic beverages for on-premises consumption has been approved by the voters of the city or county as authorized under Arkansas law; or

(B) A large attendance facility under § 3-9-202(8)(B) in which pari-mutuel wagering has been authorized by law;

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that current laws concerning the sale of alcoholic beverages at certain large attendance facilities enact a financial hardship on those facilities; and that a revision to Arkansas law is necessary to ease those hardships and provide a more equitable system of selling alcoholic beverages on certain days and times. Therefore, an emergency is declared to exist and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.”

The Amendment was read _____
By: Representative Sumpter
MBM/LNS - 03-21-2007 10:45
MBM719

Chief Clerk