

**ARKANSAS SENATE**  
87th General Assembly - Regular Session, 2009  
**Amendment Form**

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**Subtitle of Senate Bill No. 892**

"TO AMEND THE LAWS CONCERNING PRIVATE CLUB ALCOHOLIC BEVERAGE  
LICENSES."

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**Amendment No. 1 to Senate Bill No. 892.**

Amend Senate Bill No. 892 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 3-9-232 is amended to read as follows:

3-9-232. Inspection of premises and records of licensed premises and private clubs and the required filing of documents regarding nonprofit status of private clubs.

(a) No permit shall be issued under this subchapter unless the permittee has consented in writing that the licensed premises and its books and records shall be open at all times to all law enforcement and tax officials and officials of the Alcoholic Beverage Control Division, the Alcoholic Beverage Control Enforcement Division, and the Director of the Department of Finance and Administration without requirement of warrant or other legal process.

(b) No organization holding a permit under this subchapter shall market, sell, or otherwise furnish the names of its members or any other information pertaining to its members to any other public or private entity, except as provided in subsection (a) of this section.

(c) An organization holding a private club permit shall file with the Alcoholic Beverage Control Division on or before December 31 of each calendar year the following document or documents:

(1) The organization's statement, bearing the dated, stamped receipt verification by the Secretary of State required under § 4-33-131; and

(2)(A) The first page of the organization's federal tax form 990 covering the organization's previous tax year if the organization was required by federal law to prepare a form 990 regardless of whether the filing of the form with the Internal Revenue Service was required.

(B) The first page of form 990 may be submitted with all financial information redacted.

SECTION 2. Arkansas Code § 3-9-234 is amended to read as follows:

3-9-234. Failure to pay renewal fees or taxes and failure to file documents regarding nonprofit status.

(a)(1) Except as provided in subdivision (a)(2) of this section if an



organization holding a private club permit fails to file a document or documents required by § 3-9-232 and within the time required in § 3-9-232, the private club permit shall be revoked.

(2) The Director of the Alcoholic Beverage Control Division may grant a period of time not to exceed sixty (60) days in which the permittee may comply with the filing required by § 3-9-232.

(b) If any permittee shall fail to remit any fee levied in this subchapter for the annual renewal of a permit within the time provided in § 3-9-223, the permit shall be revoked.

~~(b)~~(c) If any permittee shall fail to remit the supplemental tax upon gross receipts within the time provided in § 3-9-223, a penalty of twenty-five percent (25%) shall be due and payable. If such taxes plus penalty are not paid within thirty (30) days from the due date, the Director of the Alcoholic Beverage Control Division shall revoke the permit of the permittee, and the Director of the Department of Finance and Administration shall seek recovery of the amount of such taxes and penalties due from the permittee."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator Bryles

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Secretary