

**Hall of the House of Representatives**  
90th General Assembly - Regular Session, 2015  
**Amendment Form**

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**Subtitle of House Bill No. 1739**

TO AMEND THE LAW REGARDING THE SHIPPING OF WINE.

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**Amendment No. 1 to House Bill No. 1739**

Amend House Bill No. 1739 as originally introduced:

Delete everything after the enacting clause, and substitute the following:

"SECTION 1. Arkansas Code § 3-5-1704 is amended to read as follows:  
3-5-1704. ~~Purchase~~—Payment of taxes.

~~(a) A consumer must:~~

~~(1) Be physically present at the winery to purchase the vinous liquor to be shipped into or within the state; and~~

~~(2) Provide identification to the winery proving that he or she is twenty-one (21) years of age or older.~~

~~(b)(1)(A)~~(a) A winery shall collect all sales taxes and excise taxes due on a sale to an individual of this state as if the sale took place on the premises of an Arkansas small farm winery, including without limitation taxes under §§ 3-5-1605, 3-7-104, 3-7-201, and 3-7-111.

~~(B)(b)(1)~~ A winery does not have to collect a local tax that would be imposed by a municipality, town, or other political subdivision of the state.

(2) Taxes collected by the winery shall be submitted to the Department of Finance and Administration as directed without limitation under §§ 3-5-1605, 3-7-104, 3-7-201, and 3-7-111.

SECTION 2. Arkansas Code § 3-5-1705 is amended to read as follows:

3-5-1705. Direct shipment.

(a) A winery ~~shall ship only a~~ within or without this state may ship vinous liquor to a private residence in this state.

(b) ~~A winery may only ship one (1) case of vinous liquor per consumer in any calendar quarter.~~ Before shipping wine under subsection (a) of this section, a winery shall make all reasonable efforts to ensure that the recipient of the vinous liquor is twenty-one (21) years of age or older.

(c)(1) A shipment of a vinous liquor shall have a shipping label provided by the Alcoholic Beverage Control Division affixed to the shipping package.

(2) The fee for each label for a shipment shall not exceed ten dollars (\$10.00)."



The Amendment was read \_\_\_\_\_  
By: Representative Vines  
MGF/RJW - 03-13-2015 08:19:37  
MGF275

\_\_\_\_\_  
Chief Clerk