Hall of the House of Representatives

90th General Assembly - Regular Session, 2015

Amendment Form

Subtitle of House Bill No. 1739

TO AMEND THE LAW REGARDING THE SHIPPING OF WINE.

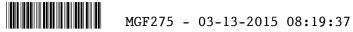
Amendment No. 1 to House Bill No. 1739

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)(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