

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of Senate Bill No. 646

TO AMEND THE LAW REGARDING MICROBREWERY RESTAURANTS AND NATIVE BREWERS; TO
AUTHORIZE SMALL BREWERY SALES AT OFF-PREMISES RETAIL SITES; AND TO DECLARE AN
EMERGENCY.

Amendment No. 1 to Senate Bill No. 646

Amend Senate Bill No. 646 as originally introduced:

Amend SB646 as originally introduced

Page 1, line 17, delete "NATIVE" and substitute "SMALL"

AND

Page 2, delete line 2, and substitute the following:

"SECTION 3. Arkansas Code § 3-5-1102, concerning the definitions for beer wholesalers and suppliers is amended to add an additional subdivision to read as follows:

(15) "Successor" means a person who replaces a supplier with regard to the right to manufacture, sell, or import beer;

SECTION 4. Arkansas Code § 3-5-1107, concerning prohibited acts by a supplier, is amended to add an additional subsection to read as follows:

(17) A successor becomes obligated under this section and under the terms and conditions of the agreement in effect on the date of succession regardless of the character or form of the succession.

SECTION 5. Arkansas Code § 3-5-1204 is amended to read as follows:"

AND

Page 2, delete lines 10 and 11, and substitute the following:

"aggregate quantity not to exceed ~~five thousand (5,000)~~ twenty thousand (20,000) barrels per year; and"

AND

Page 2, delete line 24, and substitute the following:

"by this state for consumption on the licensed premises or purchased directly



from licensed small brewers allowed to distribute directly to the microbrewery-restaurant;

AND

Page 2, line 25, delete "(3)" and substitute "(3)(A)"

AND

Page 2, delete line 27, and substitute the following:
"consumer for off-premise consumption on any day of the week; and
(B) To serve on the premises complimentary samples of beer
and malt beverages produced by the microbrewery-restaurant;"

AND

Page 4, line 3, delete "SECTION 4" and substitute "SECTION 6"

AND

Page 4, delete line 16, and substitute the following:
enforcement tax to this state, but free from the fees and taxes provided in §
3-5-205, and as required by §§ 3-7-104 and 3-7-111; and

AND

Page 4, line 22, delete "fifteen thousand (15,000)" and substitute "twenty thousand (20,000)"

AND

Page 4, line 25, delete "SECTION 5" and substitute "SECTION 7"

AND

Page 4, line 30, delete "SECTION 6" and substitute "SECTION 8"

AND

Page 6, line 1, delete "thirty thousand (30,000)" and substitute "~~thirty thousand (30,000)~~ forty-five thousand (45,000)"

AND

Page 6, line 6, delete "SECTION 7" and substitute "SECTION 9"

AND

Page 6, line 14, delete "thirty" and substitute "~~thirty~~"

AND

Page 6, line 15, delete "thousand (30,000)" and substitute "~~thousand (30,000)~~
forty-five thousand (45,000)"

AND

Page 9, line 31, delete "thirty thousand" and substitute "~~thirty thousand~~"

AND

Page 9, line 32, delete "(30,000)" and substitute "~~(30,000)~~ forty-five
thousand (45,000)"

AND

Page 10, line 30, delete "SECTION 8" and substitute "SECTION 10"

AND

Page 10, delete line 32, and substitute the following:

"(a) A small brewery selling and"

AND

Page 10, line 35, delete "is subject" and substitute "is not subject"

AND

Page 11, delete line 3, and substitute the following:

"SECTION 11. Arkansas Code § 3-7-116(b), concerning tax rebates for qualified liquor manufacturers", is amended to add an additional subsection to read as follows:

(b)(1)(A) A qualified manufacturer is entitled to a tax rebate equal to seven dollars and fifty cents (\$7.50) per barrel of beer or malt beverage sold or offered for sale in Arkansas each calendar year by the qualified manufacturer or sold through its appointed wholesalers, if the qualified manufacturer or its wholesaler is required to report and pay tax under § 3-7-104(6) or § 3-5-1205(3) or § 3-5-1408(3) or § 3-7-104 on the beer or malt beverage first sold or offered for sale in this state.

(B) The tax rebate claimed each year by the qualified manufacturer under this section shall not exceed the annual tax liability of the qualified manufacturer and its wholesalers under or § 3-5-1205(3) § 3-5-1408(3) or § 3-7-104 during the year requested.

(2) The first twelve-month period for which a qualified manufacturer may claim a rebate under this section begins January 1, 2007, for the year ending December 31, 2006.

SECTION 12. EMERGENCY CLAUSE. It is found and determined by the"

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

By: Senator J. Hutchinson
MGF/ MGF - 03-11-2015 11:19:06
MGF182

Secretary