

State of Arkansas

76th General Assembly

Regular Session, 1987

HOUSE BILL 1133

By: Representative Mills

"AN ACT TO PROVIDE A CAUSE OF ACTION FOR PERSONS INJURED AS A RESULT OF THE INTOXICATION OF ANY PERSON AGAINST THE PERSON WHO HAS SOLD TO ANOTHER, CONTRARY TO THE PROVISIONS OF LAW, ANY INTOXICATING BEVERAGE, INCLUDING BEER, WINE, NATIVE WINE AND OTHER CONTROLLED BEVERAGES, THEREBY CAUSING THE INTOXICATION OF SUCH PERSON; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. (a) Every person who shall be injured in person, property or means of support by any intoxicated person or in consequence of the intoxication of any person shall have a cause of action against the person who shall, by selling to another, contrary to the provisions of law, any intoxicating beverage, including beer, wine, native wine and other controlled beverages, thereby causing the intoxication of such person for all damages actually sustained, as well as exemplary damages.

(b) Upon the death of any party, the action or right of action will survive to or against his executor or administrator. The party injured, or his legal representative, may commence a joint or separate action against the person intoxicated or the person who furnished the intoxicating beverage.

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

