

State of Arkansas

76th General Assembly

Regular Session, 1987

SENATE BILL 309

By: Senators Allen, Canada and Jewell

"AN ACT TO PROVIDE MEANS FOR FIRST CLASS CITIES AND COUNTIES TO MAINTAIN THEIR RELATIVE COMPETITIVE POSITION WITH OTHER AREAS OF THE COUNTRY SEEKING CONVENTIONS AND TOURISM AS A MEANS OF IMPROVING THE ECONOMIC DEVELOPMENT OF THE AREA BY AUTHORIZING CITIES AND COUNTIES WHEREIN THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IS LAWFUL TO REFER TO THE PEOPLE AT AN ELECTION THE ISSUE OF AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES ON SUNDAY BETWEEN THE HOURS OF TWELVE NOON AND TEN P.M.; AND FOR OTHER PURPOSES."

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

SECTION 1. The provisions of this Act shall be applicable to only those cities and counties in this State in which the sale of alcoholic beverages for on-premises consumption in restaurants or hotels has been approved by a majority of the qualified electors of such city or county voting on the issue at a referendum election authorized by Act 132 of 1969, and shall apply only with respect to the sale of alcoholic beverages in restaurants or hotels which have a valid and current license or permit to sell alcoholic beverages for consumption on the premises thereof issued under Act 132 of 1969.

In no event shall this Act be construed to authorize the sale of alcoholic beverages in any city or county or in any portion thereof in which the sale of alcoholic beverages is prohibited by law.

SECTION 2. Any city of the first class or any county in which the sale of alcoholic beverages for on-premises consumption in licensed restaurants and hotels has been authorized by a majority of the qualified electors of such city or county voting on the issue at an election held therefor pursuant to the provisions of Act 132 of 1969, may, by ordinance adopted by the governing

body of such city or county, refer to the voters at an election the issue of whether to authorize the sale of alcoholic beverages on Sundays between the hours of 12 noon and 10 p.m., or within such lesser period within such hours as may be provided in such ordinance, provided that the Sunday sale of alcoholic beverages for on-premises consumption as authorized in this Act shall be limited to those restaurants and hotels which possess a permit or license for sale of alcoholic beverages for on-premises consumption issued under the authority of Act 132 of 1969, as amended. The election shall be held in accordance with the procedures established by Act 132 of 1969, as amended.

SECTION 3. This Act shall not be construed to repeal or modify subsection (b) of Section 1 of Act 218 of 1943, as amended (Ark. Stat. 48-901(b)), or Section 1 of Act 281 of 1943 (Ark. Stat. 48-906), or other laws which prohibit the sale of intoxicating alcoholic liquor or beer or wine on Sundays, except to the extent that the same specifically conflict with the provisions of this Act.

