

Act 295 of the 1989 Regular Session.

Act 295

SB136

By: Senator Dowd

"AN ACT TO AMEND ARKANSAS CODE §3-5-302(4) TO ALLOW AN APPLICANT FOR A RETAIL BEER PERMIT TO HAVE AN OPTION TO LEASE A PREMISES; TO AMEND ARKANSAS CODE §3-9-305(a)(5) TO ALLOW AN APPLICANT FOR AN ON-PREMISES LIQUOR PERMIT TO HAVE AN OPTION TO LEASE A PREMISES; TO AMEND ARKANSAS CODE §3-9-202(10) TO CHANGE THE DEFINITION OF "PRIVATE CLUB" TO ALLOW THE CLUB TO HAVE AN OPTION TO LEASE ITS PREMISES; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code Ann. §3-5-302(4) is hereby amended to read as follows:

"(4) Applicant shall be the owner of the premises for which the license is sought or the holder of an existing lease or option to lease thereon;"

SECTION 2. Arkansas Code Ann. §3-9-305(a)(4) is hereby amended to read as follows:

"(4) Applicant shall be the owner of the premises for which the license is sought or the holder of an existing lease or option to lease thereon."

SECTION 3. Arkansas Code Ann. §3-9-202(10) is hereby amended to read as follows:

"(10) 'Private club' means a nonprofit organization organized and existing under the laws of this state, no part of the net revenues of which shall inure directly or indirectly to the benefit of any of its members or any other individual, except for the payment of bona fide expenses of the club's operations, conducted for some common recreational, social, patriotic,

political, national, benevolent, athletic, or other nonprofit object or purpose other than the consumption of alcoholic beverages. The nonprofit corporation shall have been in existence for a period of not less than one (1) year before application for a permit, as hereinafter prescribed. At the time of application for the permit, the nonprofit corporation must have not less than one hundred (100) members regularly paying annual dues of not less than five dollars (\$5.00) per member, and, at the time of application, must own or lease or have an option to lease a building, property, or space therein for the reasonable comfort and accomodation of its members and their families and guest, and restrict the use of club facilities to such persons;"

SECTION 4. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 2, 1989
