

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

303

By: Senators Brandon and Allen

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE §3-9-215 TO EXTEND THE HOURS OF LAWFUL SALES OF ALCOHOLIC BEVERAGES ONLY ON THOSE SUNDAYS WHICH FALL ON DECEMBER 31ST; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code §3-9-215 is hereby amended as follows:

"(a) (1) The provisions of this section 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 the city or county voting on the issue at a referendum election authorized by § 3-9-201 et seq. These provisions 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 § 3-9-201 et seq.

(2) In no event shall this section 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. Nothing in this section shall be construed to repeal or modify any law which prohibits the sale of intoxicating alcoholic liquor, beer, or wine on Sunday unless the law specifically conflicts with this section.

(b) 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 that city or county voting on the issue at an election held therefor pursuant to the provisions of § 3-9-201 et seq., by ordinance adopted by the governing body of such city or county, may refer to the voters at an election the issue of whether to authorize the sale of alcoholic beverages on Sundays between the

hours of 12:00 noon and 10:00 p.m., or within a lesser period within such hours as may be provided in the ordinance. However, the Sunday sale of alcoholic beverages for on-premises consumption as authorized in this section 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 § 3-9-201 et seq. The election shall be held in accordance with the procedures established by § 3-9-201 et seq. Hotels, restaurants and excursion boats operating within those cities and counties who have approved Sunday alcoholic beverage sales pursuant to local option election as provided for herein and who have been issued Sunday Sales Mixed Drink permits by the Alcoholic Beverage Control Division as authorized herein, shall be authorized, without the requirement of an additional referendum, to sell alcoholic beverages until the hour of 12:00 o'clock p.m. on any Sunday which falls on December 31st and are further authorized to continue to sell, thereafter, until the hour of 12:30 o'clock a.m. on the following Monday morning."

SECTION 2. 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 3. All laws and parts of laws in conflict with this act are hereby repealed.