

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Purdom**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT WINERIES MAY SELL WINE FOR ON-
9 PREMISES OR OFF-PREMISES CONSUMPTION SEVEN DAYS A WEEK;
10 AND FOR OTHER PURPOSES."

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

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14 SECTION 1. Arkansas Code Title 3, Chapter 5, Subchapter 4 is hereby
15 amended to add an additional section to read as follows:

16 "3-5-413. Notwithstanding the provisions of Arkansas Code 3-5-410 or
17 any other law to the contrary, wine may be sold at any winery located in this
18 state for on-premises or off-premises consumption on any day of the week."

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20 SECTION 2. The Alcoholic Beverage Control Board is hereby authorized to
21 promulgate reasonable rules and regulations for the on-premises sale with
22 foods and off-premises package sale, labeling and identification of wine sold
23 at wine outlets maintained on the premises and operated in connection with a
24 wine manufacturing facility in this state throughout the week and such
25 regulations shall include the following minimum requirements:

26 (1) The winery shall provide tours through their cellars;

27 (2) Only sealed containers may be removed from the winery
28 premises;

29 (3) That packages sold on Sundays for off-premises consumption
30 shall have attached around the central seam of each such package a tape or
31 other seal approved by the Alcoholic Beverage Control Board to seal such
32 package. Said tape or seal shall be affixed in such manner as directed by the
33 Alcoholic Beverage Control Board which shall prohibit the opening thereof
34 without breaking such tape or seal. On each such package shall be stamped in
35 ink the words "Not to be opened on date of sale by order of the Arkansas

1 Alcoholic Beverage Control Board" and stating the penalty for violating such
2 order in letters of such minimum height and size as may be prescribed by the
3 Alcoholic Beverage Control Board.

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5 SECTION 3. Breaking the seal required by Section 2 of this act on the
6 date of sale shall be a Class C misdemeanor.

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

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12 SECTION 5. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 6. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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