

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1985

4 By: Representative Thomas
5 By: Senator Boozman

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For An Act To Be Entitled

9 "AN ACT TO REQUIRE A NOTATION ON THE DRIVER'S LICENSE OF
10 ANY PERSON WHO HAS PLEAD GUILTY OR NOLO CONTENDERE OR BEEN
11 FOUND GUILTY OF THREE ALCOHOL-RELATED OFFENSES THAT
12 PROHIBITS THE PURCHASE OF ALCOHOLIC BEVERAGES FOR OFF-
13 PREMISE CONSUMPTION BY THAT PERSON; AND FOR OTHER
14 PURPOSES."

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Subtitle

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17 "PROHIBIT THE PURCHASE OF ALCOHOL FOR
18 OFF-PREMISE CONSUMPTION BY A PERSON WHO
19 HAS COMMITTED THREE ALCOHOL-RELATED
20 OFFENSES."

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

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24 SECTION 1. (a) As used in this act:

25 (1) "Alcohol-related offense" means public intoxication, driving
26 while intoxicated, operation of an aircraft while intoxicated, or any felony
27 in which the circuit judge finds that alcohol was a significant contributing
28 factor; and

29 (2) "Department" means the Department of Finance and
30 Administration.

31 (b) All circuit and municipal courts shall notify the department when
32 a person pleads guilty or nolo contendere or has been found guilty of an
33 alcohol-related offense.

34 (c) The department shall establish a system for tracking the alcohol-
35 related offenses of persons with Arkansas driver's licenses that are reported

1 by circuit and municipal courts, and if such a person pleads guilty or nolo
2 contendere or been found guilty of four (4) alcohol-related offenses, the
3 department shall require that person to purchase a new driver's license with
4 a notation that it is unlawful for that person to purchase alcoholic
5 beverages for off-premise consumption. The department is hereby authorized
6 to charge a reasonable fee for such license, not to exceed one hundred
7 dollars (\$100.00) to provide funding for such tracking system.

8 (d) Any person who sells alcoholic beverages for off-premise
9 consumption shall check the driver's license of all purchasers for the
10 notation. It shall be unlawful to sell any alcoholic beverage for off-
11 premise consumption to any person whose driver's license has a notation
12 prohibiting the purchase of alcoholic beverages for off-premise consumption.
13 Any person violating this section shall be deemed guilty of an unclassified
14 misdemeanor and for the first offense be punishable by a fine of not less
15 than one hundred dollars (\$100) nor more than two hundred fifty dollars
16 (\$250). For the second and subsequent offenses, the person shall be deemed
17 guilty of an unclassified misdemeanor and be punishable by a fine of not less
18 than two hundred fifty dollars (\$250) nor more than five hundred dollars
19 (\$500) or by imprisonment in the county jail for not less than six (6) months
20 nor more than one (1) year, or both so fined and imprisoned in the discretion
21 of the court or jury. The penalties prescribed by this section shall be in
22 addition to any other penalty prescribed by law.

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24 SECTION 2. All provisions of this act of a general and permanent
25 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
26 Code Revision Commission shall incorporate the same in the Code.

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28 SECTION 3. If any provision of this act or the application thereof to
29 any person or circumstance is held invalid, such invalidity shall not affect
30 other provisions or applications of the act which can be given effect without
31 the invalid provision or application, and to this end the provisions of this
32 act are declared to be severable.

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34 SECTION 4. All laws and parts of laws in conflict with this act are
35 hereby repealed.

