

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Senator Cassady

# A Bill

SENATE BILL 404

## For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE § 3-9-223 TO ALLOW CITIES  
AND COUNTIES WHO LEVY AN ADDITIONAL SUPPLEMENTAL ALCOHOLIC  
BEVERAGE TAX ON PRIVATE CLUBS TO USE IT FOR ECONOMIC  
DEVELOPMENT PURPOSES; AND FOR OTHER PURPOSES."

## Subtitle

"TO ALLOW CITIES AND COUNTIES TO LEVY AN  
ADDITIONAL SUPPLEMENTAL ALCOHOLIC  
BEVERAGE TAX ON PRIVATE CLUBS FOR  
ECONOMIC DEVELOPMENT PURPOSES."

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

SECTION 1. Arkansas Code § 3-9-223 is amended to read as follows:

"3-9-223. Private clubs - Permit renewal fees - Taxes.

(a)(1) A permit shall be renewed on or before June 30 of each calendar year for the fiscal year beginning July 1.

(2) Any permit issued between January and July 1 of any year shall be at one-half (1/2) of the amount of the fee provided in § 3-9-222.

(b)(1) In addition, there is levied a supplemental tax of twelve percent (12%) upon the gross proceeds or gross receipts derived by the private club from the charges to members for the preparation and serving of mixed drinks or for the cooling and serving of beer and wine, drawn from the private stocks of the members as provided in § 3-9-221, for consumption only on the premises where served.

(2) The supplemental tax rate levied by this subsection is a temporary rate and will decrease to ten percent (10%) upon the gross proceeds or gross receipts from such charges to members at such time after 1983 as the

1 Arkansas gross receipts tax levied by the Arkansas Gross Receipts Act of  
2 1941, as amended, is increased.

3 (c) The supplemental tax shall be reported and paid to the Director of  
4 the Department of Finance and Administration in the same manner and at the  
5 same time as the gross receipts tax under the Arkansas Gross Receipts Act of  
6 1941, as amended, and shall be in addition to such tax.

7 (d) The Director of the Department of Finance and Administration shall  
8 promulgate reasonable rules and regulations for the enforcement and  
9 collection of the tax levied herein, including a requirement that each  
10 permittee maintain records showing all such charges made.

11 (e) The taxes herein prescribed may be passed on to the members.

12 (f) In addition to the fee or supplemental tax as levied herein, any  
13 city or incorporated town, or any county in which the permitted premises are  
14 located, if located outside the limits of a city or incorporated town, may  
15 levy an additional permit fee or supplemental tax not to exceed one-half  
16 (1/2) of the amount of the fee or rate provided in this section. All fees  
17 and taxes levied hereunder by any city or county shall be used for city or  
18 county general purposes or for city or county economic development purposes."

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20 SECTION 2. All provisions of this act of general and permanent nature  
21 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
22 Revision Commission shall incorporate the same in the Code.

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24 SECTION 3. If any provisions of this act or the application thereof to  
25 any person or circumstance is held invalid, the invalidity shall not affect  
26 other provisions or applications of the act which can be given effect without  
27 the invalid provisions or application, and to this end the provisions of this  
28 act are declared to be severable.

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

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