

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 2270

4
5 By: Representatives Willems, Ferguson, and Hall
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For An Act To Be Entitled

8
9 "AN ACT TO PERTAIN TO THE RECIPROCAL INTERSTATE SHIPMENT
10 AND RECEIPT OF WINE; AND FOR OTHER PURPOSES."
11

Subtitle

12
13 "THE RECIPROCAL INTERSTATE SHIPMENT AND
14 RECEIPT OF WINE."
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Reciprocal interstate shipment and receipt of wine
19 authorized.

20 (a) Any resident of this state who is at least twenty-one (21) years
21 of age is entitled to receive not more than two (2) cases of wine per month
22 for personal use, containing not more than nine liters per case, from another
23 state without payment of additional state tax, fees or charges if the state
24 from which the wine is sent allows its residents to receive wine from this
25 state without imposition of state tax, fees or charges. For privilege tax
26 purposes, receipt of a shipment into this state under this subsection shall
27 not be considered to constitute a sale in this state. No person who
28 transports wine pursuant to this section shall deliver more than two (2) cases
29 of wine to the same address at one time. No person who receives wine pursuant
30 to this section shall resell any of the wine.

31 (b) The shipping container of any wine sent into or out of this state
32 under this section must be clearly labeled to indicate that the container
33 contains alcoholic beverages and cannot be delivered to a person who is not at
34 least twenty-one (21) years of age or into a county where the sale of alcohol
35 is prohibited, or to a person who is visibly intoxicated.

36 (c) Out-of-state wine suppliers may ship wine to a person identified in

1 (a) and that will not be considered a sale within this state.

2 (d) No out-of-state wine supplier or producer that has a distributor or
3 wholesaler in Arkansas shall ship wine into the state except to the Arkansas
4 distributor or wholesaler.

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

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10 SECTION 3. If any provision of this act or the application thereof to
11 any person or circumstance is held invalid, such invalidity shall not affect
12 other provisions or applications of the act which can be given effect without
13 the invalid provision or application, and to this end the provisions of this
14 act are declared to be severable.

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

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