

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

A Bill

SENATE BILL 718

4
5 By: Senators Hunter and Boozman

For An Act To Be Entitled

9 "AN ACT TO REQUIRE A NOTATION ON THE DRIVER'S LICENSE OF
10 ANY PERSON WHO HAS PLED 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."

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 a
32 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
36 by circuit and municipal courts, and if such a person pleads guilty or nolo

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

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

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

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

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

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