

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

A Bill

SENATE BILL 81

4
5 By: Senator Malone

For An Act To Be Entitled

9 "AN ACT TO PROVIDE THAT WHEN A HOTEL OR RESTAURANT IS
10 OWNED BY A PARTNERSHIP A NON-PARTNER MANAGER MAY OBTAIN A
11 PERMIT FOR THE HOTEL OR RESTAURANT TO SELL ALCOHOLIC
12 BEVERAGES FOR ON PREMISES CONSUMPTION; AND FOR OTHER
13 PURPOSES."

Subtitle

16 "TO PROVIDE THAT WHEN A HOTEL OR
17 RESTAURANT IS OWNED BY A PARTNERSHIP A
18 NON-PARTNER MANAGER MAY OBTAIN A PERMIT
19 FOR THE HOTEL OR RESTAURANT TO SELL
20 ALCOHOLIC BEVERAGES FOR ON PREMISES
21 CONSUMPTION."

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

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25 SECTION 1. Arkansas Code 3-9-210(a) is amended to read as follows:

26 "(a) Any hotel or restaurant, as defined in § 3-9-202, desiring to sell
27 alcoholic beverages for on-premises consumption shall make application to the
28 director for a permit upon forms prescribed and furnished by the director and
29 in accordance with the rules and regulations of the board. If the hotel or
30 restaurant is owned by a partnership, whether regular or limited, a non-
31 partner manager or operator may be issued the permit provided that he meets
32 the other qualifications required by this section and the failure of one (1)
33 or more partners to be residents of this state shall not be grounds for denial
34 of the permit."

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36 SECTION 2. The Director of the Department of Finance and Administration

1 may assess and collect delinquent state and local taxes from the owner or
2 owners of the hotel or restaurant, file claims for unpaid taxes against bonds
3 or other security required to be posted by the permittee, and enforce liens
4 against assets held by the owner or owners. The Alcoholic Beverage Control
5 Division may suspend or refuse to renew a permit held by a non-partner if the
6 hotel or restaurant owner fails to remit state taxes.

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8 SECTION 3. 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 4. 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 5. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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21 /s/Malone

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