

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999

A Bill

SENATE BILL 670

4
5 By: Senator B. Lewellen

For An Act To Be Entitled

6
7
8
9 "AN ACT TO CLARIFY THE APPLICATION OF ARKANSAS CODE 3-
10 4-218; AND FOR OTHER PURPOSES."

Subtitle

11
12
13 "TO CLARIFY THE APPLICATION OF ARKANSAS
14 CODE 3-4-218."

15
16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18
19 SECTION 1. Arkansas Code 3-4-218 is amended to read as follows:
20 "3-4-218. Permits restricted to permitted premises.

21 (a) No new liquor permits shall be issued to, nor shall any outstanding
22 liquor permit be transferred to, any person, firm, or corporation by the
23 Alcoholic Beverage Control Division wherein the permitted premises of the
24 liquor permittee is operated as a part of the profit-making business of any
25 drug, grocery, sporting goods, dry goods, hardware, or general mercantile
26 stores, or any other business unrelated to the retail package sale of such
27 liquors. However, this restriction shall not prohibit the transfer of a permit
28 by the Alcoholic Beverage Control Division resulting from the sale of a
29 business for which a permit was issued on or before February 18, 1971.

30 (b) It is further provided, in any instance where a retail liquor
31 permit was issued after February 18, 1971, and the permitted premise is
32 located outside an incorporated city or town, and is located within five (5)
33 miles of two other liquor stores that were grandfathered in under the
34 provisions of subsection (a) above, each of the other stores being on either
35 side of the newer liquor store, and further where the newer liquor store and
36 one of the grandfathered liquor stores are both located in the same county and

1 the second grandfathered liquor store is located in an adjoining county, and
2 further where all three subject liquor stores are located within one (1) mile
3 of a federal interstate highway, then the middle liquor store may be
4 considered as a grandfathered liquor store on the same basis as its
5 competitors and may sell items which would not ordinarily be allowed if the
6 permit were granted after February 18, 1971."

7
8 SECTION 2. 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.

11
12 SECTION 3. 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.

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