

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: S3/31/05

# A Bill

HOUSE BILL 1691

5 By: Representatives Cowling, Bolin, Borhauer  
6 By: Senator Salmon  
7

## For An Act To Be Entitled

10 AN ACT TO *EXTEND* THE SUNSET CLAUSE ON THE RETAIL  
11 BEER TAX; AND FOR OTHER PURPOSES.  
12

### Subtitle

14 AN ACT TO *EXTEND* THE SUNSET CLAUSE ON  
15 THE RETAIL BEER TAX.  
16  
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
19

20 SECTION 1. Arkansas Code § 3-7-201(e), pertaining to taxes imposed on  
21 alcoholic beverages, is amended as follows:

22 (e)(1) The revenues derived from the excise tax on beer levied under  
23 subdivision (a)(3) of this section shall be deposited in the Department of  
24 Human Services Grants Fund Account to be distributed as follows:

25 (A)(i) Twenty percent (20%) of the funds shall be used to  
26 provide subsidized child care for low-income families;

27 (ii) The low-income families shall not include  
28 families in the Transitional Employment Assistance Program; and

29 (B) Eighty percent (80%) of the funds shall be used to  
30 support and expand the Arkansas Better Chance Program of the Department of  
31 Education.

32 (2) On June 30 of any year, the balance of the funds derived  
33 from the excise tax on beer levied under subsection (a) of this section may  
34 be carried forward into the next fiscal year, there to be used for the same  
35 purposes.

36 (3)(A) The revenues derived from the excise tax on beer levied



1 under subsection (a) of this section shall be supplementary to the Child Care  
2 Development Fund.

3 (B) These funds shall be exempt from budgetary cuts,  
4 reductions, or eliminations caused by a deficiency of general revenues.

5 (4)(A) *The excise tax on beer levied under subdivision (a)(3) of*  
6 *this section shall ~~expire on June 30, 2005~~ not extend past June 30, 2007.*

7 (B) After June 30, 2007, the State Board of Education and  
8 the Department of Education shall fully budget, fund, and expend or commit to  
9 expend the replacement general revenue in addition to any other funding  
10 provided by law for essential programs such as subsidized child care for low-  
11 income families, the Arkansas Better Chance Program of the Department of  
12 Education, and the Child Care Development Fund in an amount equal to the  
13 appropriation level for the program.

14  
15 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
16 General Assembly of the State of Arkansas that the current retail beer tax  
17 will expire on June 30, 2005; that in order to eliminate a period of time in  
18 which the retail beer tax would not exist this act must become effective on  
19 June 30, 2005; that the citizens of Arkansas are in need of the revenues  
20 generated by the retail beer tax; and that these revenues are necessary to  
21 continue funding essential programs such as subsidized child care for low-  
22 income families, the Arkansas Better Chance Program of the Department of  
23 Education, and the Child Care Development Fund. Therefore, an emergency is  
24 declared to exist and this act being necessary for the preservation of the  
25 public peace, health, and safety shall become effective on June 30, 2005.

26  
27 /s/ Cowling  
28  
29  
30  
31  
32  
33  
34  
35  
36