

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: H3/3/05
A Bill

HOUSE BILL 2426

5 By: Representative Wells
6
7

8 **For An Act To Be Entitled**

9 AN ACT TO PROMOTE AGRI-TOURISM IN THE STATE OF
10 ARKANSAS; TO FUND RESEARCH CONCERNING THE
11 PRODUCTION OF WINE GRAPES AND THE MANUFACTURE OF
12 WINE IN ARKANSAS; TO PROMOTE THE ARKANSAS NATIVE
13 WINE INDUSTRY THROUGH THE *TOURISM* DIVISION OF THE
14 DEPARTMENT OF PARKS AND TOURISM; CONCERNING
15 DISTRIBUTION OF THE TAX ON VINOUS LIQUOR UNDER
16 ARKANSAS CODE § 3-7-104(4); AND FOR OTHER
17 PURPOSES.

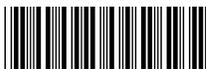
18
19 **Subtitle**

20 AN ACT TO PROMOTE AGRI-TOURISM IN THE
21 STATE OF ARKANSAS; TO FUND RESEARCH
22 CONCERNING THE PRODUCTION OF WINE GRAPES
23 AND THE MANUFACTURE OF WINE IN ARKANSAS;
24 AND TO PROMOTE THE ARKANSAS NATIVE WINE
25 INDUSTRY.
26
27

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
29

30 SECTION 1. Findings.

31 (a) In the passage of this act, the General Assembly of the State of
32 Arkansas is cognizant of the practice of Arkansas wineries that produce
33 native wine in cooperating with the efforts of the Tourism Division of the
34 Department of Parks and Tourism in promoting the tourist industry of this
35 state by opening their cellars and vineyards to tourists, by providing
36 official tour guides, and by expending sums of money for the construction of



1 vineyard observation towers, vineyard roads, tourist centers, and tunnels for
2 the proper flow of travel through their wine cellars, and that these
3 activities by Arkansas wineries that produce native wine have promoted the
4 tourist industry in Arkansas and are of substantial benefit in promoting the
5 economy and welfare of this state.

6 (b) The General Assembly also finds that:

7 (1) According to past data, Arkansas wineries are very
8 significant in tourist attraction volume in Arkansas, which should be
9 actively encouraged;

10 (2) In addition to grapes, fruit, and vegetables, Arkansas
11 native wineries use large quantities of other Arkansas products, such as
12 Arkansas glass bottles, trellis posts, steel wire, farm equipment, fuel, and
13 most of all intensive hand labor; and

14 (3) Data from the department indicates that a dollar spent on
15 increasing the tourist flow to already popular attractions is not only a wise
16 investment, but it also reaps tourist dollars and taxes multifold.

17
18 SECTION 2. Arkansas Code § 3-7-104(4), concerning the levy of taxes,
19 is amended to read as follows:

20 (4)(A) A tax at the rate of seventy-five cents (75¢) on each
21 gallon of vinous liquor, except wines fermented and manufactured within the
22 State of Arkansas from grapes, berries, or other fruits grown in Arkansas, as
23 authorized by §§ 3-5-401 – 3-5-412, sold or offered for sale in the State of
24 Arkansas.

25 (B) The tax levied in subdivision (4)(A) of this section
26 shall be distributed as follows:

27 (i) All revenues derived from five cents (5¢) per
28 gallon of the tax levied under subdivision (4)(A) of this section shall be
29 deposited into the State Treasury as special revenues. The net amount shall
30 be credited to the Arkansas Wine Producers Council Fund and shall be used by
31 the Arkansas Wine Producers Council for promoting research concerning the
32 production of wine grapes and the manufacture of wine in Arkansas and for
33 promoting the Arkansas native wine industry through the Tourism Division of
34 the Department of Parks and Tourism; and

35 (ii) All revenues derived from seventy cents (70¢)
36 per gallon of the tax levied under subdivision (4)(A) of this section shall

1 be deposited into the State Treasury as general revenues.

2 ~~(B)~~(C) "Vinous liquor", as used in this section, means the
3 fermented juices of grapes, berries, or other fruits and any other mixture
4 containing the fermented juices of grapes, berries, or other fruits, having
5 an alcoholic content of more than five percent (5%) alcohol by weight;

6
7 SECTION 3. Arkansas Code § 3-7-108 is amended to read as follows:
8 3-7-108. Disposition of funds.

9 ~~All~~ Except as provided in § 3-7-104(4)(B)(i), all taxes, penalties, and
10 costs collected by the Director of the Department of Finance and
11 Administration under the provisions of §§ 3-7-101 – 3-7-104 and 3-7-106 – 3-
12 7-110 shall be general revenues and shall be deposited in the State Treasury
13 to the credit of the State Apportionment Fund. The Treasurer of State, on or
14 before the fifth day of the month next following the month during which such
15 funds shall have been received by him or her, shall allocate and transfer the
16 funds to the various State Treasury funds in the proportions to each as
17 provided by law, after first transferring to the General Revenue Fund of the
18 State Apportionment Fund an amount equivalent to the cost of collection and
19 other charges as also provided by law.

20
21 /s/ Wells
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36