

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

A Bill

SENATE BILL 1174

4
5 By: Senator T. Smith
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For An Act To Be Entitled

8
9 AN ACT TO AMEND § 5-71-212 CONCERNING PUBLIC
10 INTOXICATION; TO AMEND THE PROHIBITION ON PUBLIC
11 DRINKING OF ALCOHOLIC BEVERAGES TO ALLOW THE
12 CREATION OF CERTAIN DESIGNATED AREAS IN CITIES
13 AND TOWNS THAT WOULD ALLOW PUBLIC DRINKING; AND
14 FOR OTHER PURPOSES.
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Subtitle

16
17 AN ACT TO ALLOW PUBLIC DRINKING OF
18 ALCOHOL IN ENTERTAINMENT DISTRICTS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 5-71-212(c), prohibiting public drinking of
24 alcoholic beverages, is amended to read as follows:

25 (c) A Except as provided in subsection (f) of this section, a person
26 commits the offense of drinking in public if that person consumes any
27 alcoholic beverages in any public place, on any highway, or street, or upon
28 any passenger coach, streetcar, or in or upon any vehicle commonly used for
29 the transportation of passengers, or in or about any depot, platform, waiting
30 station or room, or other public place other than a place of business
31 licensed to sell alcoholic beverages for consumption on the premises.
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33 SECTION 2. Arkansas Code § 5-71-212, prohibiting public intoxication
34 and public drinking of alcoholic beverages, is amended to add an additional
35 subsection to read as follows:

36 (f)(1) As used in this subsection (f), "designated entertainment



1 district" means a contiguous area located in a commercial area of a city or
2 town that contains restaurants, bars, entertainment or hospitality
3 establishments, or any combination of restaurants, bars, and entertainment or
4 hospitality establishments.

5 (2) Subsection (c) of this section shall not apply within the
6 boundaries of designated entertainment districts established by ordinance in
7 any city or town collecting a gross receipts tax on prepared food or hotel
8 and motel accommodations under Act 185 of 1965 and located in a wet county.

9 (3) Rules of the Alcoholic Beverage Control Board prohibiting
10 the carrying of an alcoholic beverage out of an establishment holding a
11 permit for on-premises consumption of alcohol shall not apply within a
12 designated entertainment district.

13 (4) A city or town desiring to establish a designated
14 entertainment district shall set by ordinance reasonable standards for the
15 regulation of public drinking of alcohol within the designated entertainment
16 district.

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