

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 520

4
5 By: Senator Critcher
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For An Act To Be Entitled

8
9 AN ACT TO AMEND THE DEFINITION OF "PRIVATE CLUB"
10 AS USED IN THE ALCOHOLIC BEVERAGES LAW; AND FOR
11 OTHER PURPOSES.
12

Subtitle

13
14 AN ACT TO AMEND THE DEFINITION OF
15 "PRIVATE CLUB" AS USED IN THE ALCOHOLIC
16 BEVERAGES LAW.
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18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 3-9-202(10), concerning the definition of
22 private club for on-premises consumption of alcoholic beverages, is amended
23 to read as follows:

24 (10)(A)(i) "Private club" means a nonprofit corporation
25 organized and existing under the laws of this state, no part of the net
26 revenues of which shall inure directly or indirectly to the benefit of any of
27 its members or any other individual, except for the payment of bona fide
28 expenses of the club's operations, and which is conducted for some common
29 recreational, social, patriotic, political, national, benevolent, athletic,
30 ~~community hospitality, professional association, entertainment,~~ or other
31 nonprofit object or purpose other than the consumption of alcoholic
32 beverages.

33 (ii) The nonprofit corporation shall have been in
34 existence for a period of not less than one (1) year before applying for a
35 permit, as prescribed in this subchapter.

36 (iii) At the time of application for the permit, the



1 nonprofit corporation must have not fewer than one hundred (100) members and
 2 at the time of application must own or lease, be the holder of a buy-sell
 3 agreement or offer and acceptance, or have an option to lease a building,
 4 property, or space therein for the reasonable comfort and accommodation of
 5 its members and their families and guests and restrict the use of club
 6 facilities to those persons.

7 (B) For purposes of this subdivision (10), a person shall
 8 be required to become a member of the private club in any wet area of the
 9 state only upon ordering an alcoholic beverage as defined under subdivision
 10 (3) of this section.

11 (C) Furthermore, where the business entity that holds a
 12 private club permit additionally holds a retail beer permit, retail wine for
 13 consumption on the premises permit, or cafe or restaurant wine permit, the
 14 hours of operation authorized for the private club shall likewise apply to
 15 all permits of the business entity;

16
 17 SECTION 2. Arkansas Code § 3-9-221(a), concerning the purposes for
 18 organizing private clubs for serving alcoholic beverages, is amended to read
 19 as follows:

20 (a) The General Assembly recognizes that:

21 ~~(1) Many many individuals in this state serve mixed drinks~~
 22 ~~containing alcoholic beverages to their friends and guests in the privacy of~~
 23 ~~their homes and, in addition, that many individuals associated together in~~
 24 ~~private nonprofit corporations established for fraternal, patriotic,~~
 25 ~~recreational, political, social, or other mutual purposes as authorized by~~
 26 ~~law, established not for pecuniary gain, have provided for their mutual~~
 27 ~~convenience and for the preparation and serving to themselves and their~~
 28 ~~guests mixed drinks prepared from alcoholic beverages owned by the members~~
 29 ~~individually or in common under a so-called "locker", "pool", or "revolving~~
 30 ~~fund" system; and.~~

31 ~~(2) Many individuals travel to this state to assemble at~~
 32 ~~regional meetings and conventions to associate with other individuals who are~~
 33 ~~members of professional and social organizations and that:~~

34 ~~(A) Many of the restaurants and entertainment facilities~~
 35 ~~used for the meetings and conventions promote the hospitality of the host~~
 36 ~~communities where the restaurants, convention, and entertainment facilities~~

1 are located;

2 (B) ~~Many of the host organizations plan to serve mixed~~
3 ~~drinks containing alcoholic beverages to their friends and guests at these~~
4 ~~meetings and while entertaining and dining during these conventions; and~~

5 (C) ~~Many of the host communities have individuals who have~~
6 ~~associated together in private nonprofit corporations established for~~
7 ~~recreational, social, community hospitality, professional association,~~
8 ~~entertainment, or other mutual purposes established, not for pecuniary gain,~~
9 ~~but for their mutual convenience and to provide for the preparation and~~
10 ~~servng to themselves and their guests mixed drinks prepared from alcoholic~~
11 ~~beverages owned by the members individually or in common under a so-called~~
12 ~~"locker", "pool", or "revolving fund" system.~~

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