

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 762

4
5 By: Senator Whitaker
6
7

For An Act To Be Entitled

8
9 AN ACT TO PROTECT TOURISM BY BUS IN THE STATE OF
10 ARKANSAS BY AUTHORIZING NATIVE ARKANSAS WINERIES
11 TO ASSIST TOURISTS WHO TRAVEL BY TOUR BUS OR
12 OTHER VEHICLE TO SHIP THEIR PURCHASE HOME WITHIN
13 THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.
14

Subtitle

15
16 AN ACT TO AUTHORIZE NATIVE ARKANSAS
17 WINERIES TO ASSIST TOURISTS WHO TRAVEL
18 BY TOUR BUS OR OTHER VEHICLE TO SHIP
19 THEIR PURCHASE HOME WITHIN THE STATE OF
20 ARKANSAS.
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

SECTION 1. Legislative findings and intent.

25
26 (a) The General Assembly is cognizant of the practice of Arkansas
27 wineries that produce native wine in cooperating with the efforts of State
28 Parks and Tourism in promoting the tourist industry of this state by opening
29 their cellars and vineyards to tourists, by providing official tour guides,
30 and by expending sums of money for the construction of vineyard observation
31 towers, vineyard roads, tourist centers, and tunnels for the proper flow of
32 travel through their wine cellars, and that these activities by Arkansas
33 wineries that produce native wine have promoted the tourist industry in
34 Arkansas, and are of substantial benefit in promoting the economy and welfare
35 of this state.

36 (b) It is the intent of this act to assist Arkansas wineries and the



1 tourism industry by allowing the shipment of wine from Arkansas wineries for
2 delivery to tourists and visitors to the wineries.

3
4 SECTION 2. Arkansas Code § 3-5-411(c), concerning transportation of
5 wine from a winery in the State of Arkansas, is amended to read as follows:

6 (c)(1) It is lawful for any winery in the State of Arkansas to ship
7 wines out of the state by common carrier or other appropriate parcel delivery
8 service and for common carriers and other appropriate parcel delivery
9 services to accept wine from Arkansas wineries for delivery outside the State
10 of Arkansas.

11 (2)(A) It is lawful for any winery in the State of Arkansas to
12 ship wines within the state by common carrier or other appropriate parcel
13 delivery service and for common carriers and other appropriate parcel
14 delivery services to accept wine from Arkansas wineries for delivery within
15 the State of Arkansas, ~~provided, however, that the wine may only be shipped~~
16 ~~to persons holding a retail permit to sell and dispense vinous or spirituous~~
17 ~~liquors.~~

18 (B) However, the wine may be shipped only to tourists or
19 visitors of a winery who are at least twenty-one (21) years of age.