

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: S3/30/05

A Bill

SENATE BILL 762

5 By: Senator Whitaker
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For An Act To Be Entitled

9 *AN ACT TO PROTECT TOURISM IN THE STATE OF*
10 *ARKANSAS BY AUTHORIZING NATIVE ARKANSAS WINERIES*
11 *TO ASSIST A PURCHASER OF WINE AT THE WINERY BY*
12 *SHIPPING THE PURCHASE TO THE PURCHASER'S HOME*
13 *WITHIN THE STATE OF ARKANSAS; AND FOR OTHER*
14 *PURPOSES.*

Subtitle

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17 *AN ACT TO PROTECT TOURISM IN THE STATE*
18 *OF ARKANSAS BY AUTHORIZING NATIVE*
19 *ARKANSAS WINERIES TO ASSIST A PURCHASER*
20 *OF WINE AT THE WINERY BY SHIPPING THE*
21 *PURCHASE TO THE PURCHASER'S HOME WITHIN*
22 *THE STATE OF ARKANSAS.*
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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SECTION 1. Legislative findings and intent.

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



1 Arkansas, and are of substantial benefit in promoting the economy and welfare
2 of this state.

3 (b) It is the intent of this act to assist Arkansas wineries and the
4 tourism industry by allowing the shipment of wine from Arkansas wineries for
5 delivery to tourists and visitors to the wineries.

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

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

14 (2)(A) An individual who purchases native Arkansas wine at the
15 winery may transport the wine pursuant to § 3-5-504 or may have the purchase
16 shipped to him or her at the individual's home by common carrier or
17 appropriate parcel delivery service.

18 (B) ~~It~~ Under subdivision (c)(2)(A) of this section, it is
19 lawful for:

20 (i) ~~any~~ Any winery in the State of Arkansas to ship
21 wines within the state by common carrier or other appropriate parcel delivery
22 service; and

23 (ii) ~~for common~~ Common carriers and other
24 appropriate parcel delivery services to accept wine from Arkansas wineries
25 for delivery within the State of Arkansas, ~~provided, however, that the wine~~
26 ~~may only be shipped to persons holding a retail permit to sell and dispense~~
27 ~~vinous or spirituous liquors.~~

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29 /s/ Whitaker
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