

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/15/07

A Bill

HOUSE BILL 2448

5 *By: Representatives Harris, Woods*
6 *By: Senator B. Pritchard*
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For An Act To Be Entitled

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10 *AN ACT AMENDING ARKANSAS CODE § 3-9-202*
11 *CONCERNING ADVERTISING AT LARGE ATTENDANCE*
12 *FACILITIES; AND FOR OTHER PURPOSES.*
13

Subtitle

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15 *AN ACT AMENDING ARKANSAS CODE § 3-9-202*
16 *CONCERNING ADVERTISING AT LARGE*
17 *ATTENDANCE FACILITIES.*
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 *SECTION 1. Arkansas Code § 3-9-202(8)(B)(iii) and (iv), concerning*
23 *large attendance facilities permits, is amended to read as follows:*

24 *(iii) When a large attendance facilities permit has*
25 *been issued to a government-owned facility located in a county which has a*
26 *population of more than ~~three hundred thousand (300,000)~~ one hundred fifty-*
27 *five thousand (155,000) according to the ~~1990~~ 2000 Federal Decennial Census,*
28 *Arkansas-licensed beer wholesalers shall be allowed to pay for advertising*
29 *devices used at the government-owned facility. Such advertising devices shall*
30 *include items such as inside or outside signs, scoreboards, programs,*
31 *scorecards, and the like. Provided, if such advertising by the beer*
32 *wholesaler results in the formation or existence of an exclusive buying*
33 *arrangement by the large attendance facilities permittee and the wholesaler*
34 *who furnishes such items, then such an exclusive buying arrangement will be a*
35 *violation of the large attendance facilities permit and the wholesale beer*
36 *permit involved even if the arrangements are caused by third parties. To the*



1 extent that § 3-5-214 or any other law could be interpreted to preclude such
2 advertising arrangements allowed in this subdivision (8)(B)(iii), they are
3 held inapplicable;

4 (iv)(a) When a large attendance facilities permit
5 has been issued to a facility owned or operated by the owner of a
6 professional sports team franchised by the National Association of
7 Professional Baseball Leagues and within a county that has a population of
8 more than ~~three hundred thousand (300,000)~~ one hundred fifty-five thousand
9 (155,000) according to the 2000 Federal Decennial Census, the operator of the
10 facility may accept sponsorship funds, advertising items, or promotional
11 items from licensed beer wholesalers. Promotional items shall include items
12 used by the facility to promote attendance.

13 (b) However, if the use of sponsorship funds,
14 advertising items, or promotional items by the beer wholesaler results in the
15 formation or existence of an exclusive buying arrangement by the large
16 attendance facilities permittee and the wholesaler who furnishes the
17 sponsorship funds, advertising items, or promotional items, then the
18 exclusive buying arrangement will be a violation of the large attendance
19 facilities permit and the wholesaler's wholesale beer permit even if the
20 arrangements are caused by third parties.

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22 /s/ Harris, et al
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