

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: H3/22/07

A Bill

HOUSE BILL 2754

5 By: Representative Sumpter
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7

For An Act To Be Entitled

9 AN ACT CONCERNING THE SALE OF ALCOHOLIC BEVERAGES
10 AT CERTAIN LARGE ATTENDANCE FACILITIES; AND FOR
11 OTHER PURPOSES.
12

Subtitle

14 AN ACT CONCERNING THE SALE OF ALCOHOLIC
15 BEVERAGES AT CERTAIN LARGE ATTENDANCE
16 FACILITIES.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 *SECTION 1. Arkansas Code § 3-3-210(a), concerning sales of alcoholic*
22 *beverages on Sunday or early weekday mornings, is amended to read as follows:*

23 *(a)(1) Any person who shall sell intoxicating alcoholic liquor on*
24 *Sunday, except as such sales are authorized by §§ 3-9-215, 3-9-216, and 3-9-*
25 *401 et seq., or between 1:00 a.m. and 7:00 a.m. on weekdays shall be guilty*
26 *of a violation and for the first offense be punished by a fine of not less*
27 *than one hundred dollars (\$100) nor more than two hundred fifty dollars*
28 *(\$250).*

29 *(2) For the second and subsequent offenses, the person shall be*
30 *guilty of a Class B misdemeanor.*
31

32 *SECTION 2. Arkansas Code Title 3, Chapter 9, Subchapter 2 is amended*
33 *to add an additional section to read as follows:*

34 *3-9-216. Authorization of sales on Sundays for certain large*
35 *attendance facilities.*

36 *(a) Large attendance facilities under § 3-9-202(8)(B) in which pari-*



1 mutuel wagering has been authorized and which have a valid and current
 2 license or permit to sell alcoholic beverages for consumption on their
 3 premises may sell alcoholic beverages on Sundays between the hours of 12:00
 4 a.m. and 2:00 a.m. in addition to other times authorized by law for selling
 5 alcoholic beverages for consumption on the premises.

6 (b) This section shall not be construed to:

7 (1) Authorize the sale of alcoholic beverages in any city or
 8 county or in any portion of a city or county in which the sale of alcoholic
 9 beverages is prohibited by law; or

10 (2) Repeal or modify any law that prohibits the sale of
 11 intoxicating alcoholic liquor, beer, or wine on Sunday unless the law
 12 specifically conflicts with this section.

13
 14 SECTION 3. Arkansas Code § 3-9-404(b)(2), concerning permits to sell
 15 alcoholic beverages for on-premises consumption on Sundays, is amended to
 16 read as follows:

17 (2) It is:

18 (A) ~~located~~ Located in a city or county where Sunday sale
 19 of alcoholic beverages for on-premises consumption has been approved by the
 20 voters of the city or county as authorized under Arkansas law; or

21 (B) A large attendance facility under § 3-9-202(8)(B) in
 22 which pari-mutuel wagering has been authorized by law;

23
 24 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the
 25 General Assembly of the State of Arkansas that current laws concerning the
 26 sale of alcoholic beverages at certain large attendance facilities enact a
 27 financial hardship on those facilities; and that a revision to Arkansas law
 28 is necessary to ease those hardships and provide a more equitable system of
 29 selling alcoholic beverages on certain days and times. Therefore, an
 30 emergency is declared to exist and this act being immediately necessary for
 31 the preservation of the public peace, health, and safety shall become
 32 effective on:

33 (1) The date of its approval by the Governor;

34 (2) If the bill is neither approved nor vetoed by the Governor,
 35 the expiration of the period of time during which the Governor may veto the
 36 bill; or

1 (3) If the bill is vetoed by the Governor and the veto is
2 overridden, the date the last house overrides the veto.

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4 /s/ Sumpter
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