

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/2/09
A Bill

HOUSE BILL 1586

5 By: Representative Allen
6 By: Senator B. Pritchard
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9 **For An Act To Be Entitled**

10 *AN ACT TO PROVIDE CRIMINAL LIABILITY FOR A SOCIAL*
11 *HOST WHO KNOWINGLY SERVES ALCOHOL TO PERSONS*
12 *UNDER THE AGE OF TWENTY-ONE; WHO KNOWINGLY ALLOWS*
13 *MINORS TO CONSUME ALCOHOL ON HIS OR HER PROPERTY;*
14 *AND FOR OTHER PURPOSES.*

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17 **Subtitle**

18 *TO PROVIDE CRIMINAL LIABILITY FOR A*
19 *SOCIAL HOST WHO KNOWINGLY SERVES ALCOHOL*
20 *TO PERSONS UNDER THE AGE OF TWENTY-ONE*
21 *AND WHO KNOWINGLY ALLOWS MINORS TO*
22 *CONSUME ALCOHOL ON HIS OR HER PROPERTY.*

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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 *SECTION 1. Arkansas Code Title 3, Chapter 3, Subchapter 2 is amended*
28 *to add a new section to read as follows:*

29 *3-3-219. Social hosts - Criminal liability.*

30 *(a)(1) A person who exercises control over private property shall not*
31 *knowingly allow a person under twenty-one (21) years of age who is not a*
32 *child or ward of the person to:*

33 *(A) Consume alcohol on the private property; or*

34 *(B) Remain on the private property if the person under*
35 *twenty-one (21) years of age consumes an alcoholic beverage on the property.*

36 *(2) This subsection applies only to a person who is present and*



1 in control of the private property at the time the consumption occurs.

2 (3) This subsection does not apply to the owner of rental
3 property or the agent of an owner of rental property unless the consumption
4 occurs in the individual unit in which the owner or agent resides.

5 (b)(1) A first violation of this section is a Class C misdemeanor.

6 (2) A second violation of this section is a Class A misdemeanor.

7 (3) A third or subsequent violation of this section is a Class D
8 felony.

9 (c) This section shall not prevent a township, city, or county from
10 establishing by ordinance regulations more stringent than the provisions of
11 this section.

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14 /s/ Allen
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