

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: S3/30/09

A Bill

SENATE BILL 892

5 By: Senator Bryles
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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAWS CONCERNING PRIVATE CLUB
10 ALCOHOLIC BEVERAGE LICENSES; AND FOR OTHER
11 PURPOSES.
12
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Subtitle

14 TO AMEND THE LAWS CONCERNING PRIVATE
15 CLUB ALCOHOLIC BEVERAGE LICENSES.
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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 § 3-9-232 is amended to read as follows:*

22 *3-9-232. Inspection of premises and records of licensed premises and*
23 *private clubs and the required filing of documents regarding nonprofit status*
24 *of private clubs.*

25 *(a) No permit shall be issued under this subchapter unless the*
26 *permittee has consented in writing that the licensed premises and its books*
27 *and records shall be open at all times to all law enforcement and tax*
28 *officials and officials of the Alcoholic Beverage Control Division, the*
29 *Alcoholic Beverage Control Enforcement Division, and the Director of the*
30 *Department of Finance and Administration without requirement of warrant or*
31 *other legal process.*

32 *(b) No organization holding a permit under this subchapter shall*
33 *market, sell, or otherwise furnish the names of its members or any other*
34 *information pertaining to its members to any other public or private entity,*
35 *except as provided in subsection (a) of this section.*

36 *(c) An organization holding a private club permit shall file with the*



1 Alcoholic Beverage Control Division on or before December 31 of each calendar
2 year the following document or documents:

3 (1) The organization's statement, bearing the dated, stamped
4 receipt verification by the Secretary of State required under § 4-33-131; and

5 (2)(A) The first page of the organization's federal tax form 990
6 covering the organization's previous tax year if the organization was
7 required by federal law to prepare a form 990 regardless of whether the
8 filing of the form with the Internal Revenue Service was required.

9 (B) The first page of form 990 may be submitted with all
10 financial information redacted.

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12 SECTION 2. Arkansas Code § 3-9-234 is amended to read as follows:

13 3-9-234. Failure to pay renewal fees or taxes and failure to file
14 documents regarding nonprofit status.

15 (a)(1) Except as provided in subdivision (a)(2) of this section if an
16 organization holding a private club permit fails to file a document or
17 documents required by § 3-9-232 and within the time required in § 3-9-232,
18 the private club permit shall be revoked.

19 (2) The Director of the Alcoholic Beverage Control Division may
20 grant a period of time not to exceed sixty (60) days in which the permittee
21 may comply with the filing required by § 3-9-232.

22 (b) If any permittee shall fail to remit any fee levied in this
23 subchapter for the annual renewal of a permit within the time provided in §
24 3-9-223, the permit shall be revoked.

25 ~~(b)(c)~~ If any permittee shall fail to remit the supplemental tax upon
26 gross receipts within the time provided in § 3-9-223, a penalty of twenty-
27 five percent (25%) shall be due and payable. If such taxes plus penalty are
28 not paid within thirty (30) days from the due date, the Director of the
29 Alcoholic Beverage Control Division shall revoke the permit of the permittee,
30 and the Director of the Department of Finance and Administration shall seek
31 recovery of the amount of such taxes and penalties due from the permittee.

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33 /s/ Bryles
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