

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/26/15
A Bill

HOUSE BILL 1390

5 By: Representative Hammer
6

7 **For An Act To Be Entitled**

8 AN ACT TO CLARIFY THE DEFINITION OF "CHURCH" FOR
9 PURPOSES OF RETAIL LIQUOR PERMITS; AND FOR OTHER
10 PURPOSES.
11

12 **Subtitle**

13 TO CLARIFY THE DEFINITION OF "CHURCH" FOR
14 PURPOSES OF RETAIL LIQUOR PERMITS.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 3-4-206 is amended to read as follows:

21 3-4-206. Operation of retail liquor business near church or
22 schoolhouse prohibited.

23 (a) As used in this section, "church" means a church and all
24 immediately adjacent property owned or leased by the church that is used for
25 church purposes;

26 ~~(a) No new permit to engage in the retail liquor business in this~~
27 ~~state shall be issued by the Director of the Alcoholic Beverage Control~~
28 ~~Division for the location of any business situated within two hundred (200)~~
29 ~~yards of any church or schoolhouse.~~

30 ~~(b) However, after August 13, 2001:~~

31 ~~(1)(b)(1)~~ (1) No new permit to engage in the retail liquor business in
32 this state may be issued by the ~~director~~ Director of Alcoholic Beverage
33 Control Division for the location of any business situated within one
34 thousand feet (1,000') of any church or schoolhouse property line; ~~and.~~

35 ~~(2)(4)~~ (2) No existing permit to engage in the retail liquor
36 business in this state may be transferred to a location within one thousand



1 feet (1,000') of any church or schoolhouse property line.

2 ~~(B) As an exception to subdivision (b)(2)(A) of this~~
3 ~~section, if any retail liquor business in this state already exists within~~
4 ~~one thousand feet (1,000') of one (1) or more churches or schoolhouses, then~~
5 ~~that same retail liquor store may be allowed to transfer to a new location~~
6 ~~that is within one thousand feet (1,000') of the closest church or~~
7 ~~schoolhouse to the present liquor store location if the new location is~~
8 ~~determined by the Alcoholic Beverage Control Division to serve the public~~
9 ~~convenience and advantage.~~

10 (3) The distance specified in subdivisions (b)(1) and (2) of
11 this section shall be measured by nearest property line point to nearest
12 property line point.

13 (4) Subdivisions (b)(1) and (2) of this section apply only to an
14 application for a new permit or the transfer of an existing permit filed with
15 the Alcoholic Beverage Control Board after August 1, 2015.

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17 /s/Hammer
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