

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

A Bill

HOUSE BILL 1391

5 By: Representative Hammer
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For An Act To Be Entitled

8 AN ACT TO CLARIFY THE DEFINITION OF "SCHOOL" FOR
9 PURPOSES OF RETAIL LIQUOR PERMIT; AND FOR OTHER
10 PURPOSES.
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Subtitle

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14 TO CLARIFY THE DEFINITION OF "SCHOOL" FOR
15 PURPOSES OF RETAIL LIQUOR PERMIT.
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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~~ school prohibited.

23 (a) As used in this section, "school" means a schoolhouse and a
24 structure at which children gather on a regular schedule for educational
25 purposes, including without limitation a:

- 26 (1) Facility owned and operated by a public or private school;
27 (2) Public or private daycare facility;
28 (3) Citizen's club; and
29 (4) Similar entities.

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

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

35 ~~(1)(b)(1)~~ (b)(1) No new permit to engage in the retail liquor business in
36 this state may be issued by the ~~director~~ Director of the Alcoholic Beverage



1 Control Division for the location of any business situated within one
2 thousand feet (1,000') of any church or ~~schoolhouse~~ school; ~~and.~~

3 (2)(A) No existing permit to engage in the retail liquor
4 business in this state may be transferred to a location within one thousand
5 feet (1,000') of any church or ~~schoolhouse~~ school.

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

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