

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1757

5 By: Representative Hillman
6

For An Act To Be Entitled

8 AN ACT TO REQUIRE AN OFF-PREMISE CATERER TO REGISTER
9 WITH THE SECRETARY OF STATE; TO AMEND THE INSURANCE
10 REQUIREMENTS FOR AN OFF-PREMISE CATERER'S PERMIT; AND
11 FOR OTHER PURPOSES.
12
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Subtitle

14 TO REQUIRE AN OFF-PREMISE CATERER TO
15 REGISTER WITH THE SECRETARY OF STATE; AND
16 TO AMEND THE INSURANCE REQUIREMENTS FOR
17 AN OFF-PREMISE CATERER'S PERMIT.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 3-4-901 is amended to read as follows:
24 3-4-901. Definitions.

25 As used in this subchapter, ~~unless the context otherwise requires:~~

26 (1) "Alcoholic beverages" means any alcoholic beverage ~~which~~
27 that is sold at retail in Arkansas;

28 ~~(2) "Director" means the Director of the Alcoholic Beverage~~
29 ~~Control Division;~~

30 ~~(3)(2)~~ "Off-premise Off-premises caterer" means an individual or
31 business entity ~~which~~ that:

32 (A) ~~Has been in business for more than one (1) year~~ Is an
33 entity registered with the Secretary of State and in good standing;

34 (B) Sixty percent (60%) or more of whose gross sales for
35 the preceding year have been derived from food sales;

36 (C) ~~Had gross food sales in excess of one hundred thousand~~



1 ~~dollars (\$100,000) for the preceding year~~ Maintains a liability policy with a
 2 minimum coverage of one million dollars (\$1,000,000);

3 (D) For a fee, prepares food and beverages to be consumed
 4 at private parties or other private functions; and

5 (E) Transports the food and beverages from the permitted
 6 premises to the premises where the private function is being held; and

7 ~~(4)(3)~~ “Off-premise Off-premises caterer’s permit” means a
 8 license ~~which~~ that authorizes the holder ~~thereof~~ to purchase alcoholic
 9 beverages from a permitted retail outlet, to transport the alcoholic
 10 beverages to a private function ~~which~~ that is being catered by the permit
 11 holder, and to serve alcoholic beverages to attendees of a private function
 12 in conjunction with catered food.

13
 14 SECTION 2. Arkansas Code § 3-4-903(b), concerning qualifications for
 15 off-premise caterer’s permits, is amended to read as follows:

16 (b)(1) ~~Furthermore, no An off-premise off-premises~~ caterer’s permit
 17 shall not be issued until the applicant provides proof of general liability
 18 insurance providing coverage in an amount of no less than ~~two hundred~~
 19 ~~thousand dollars (\$200,000)~~ one million dollars (\$1,000,000).

20 (2) If the off-premises caterer provides liquor as part of its
 21 service, liquor liability shall be included in the coverage under subdivision
 22 (b)(1) of this section.