

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

As Engrossed: H3/9/17
A Bill

HOUSE BILL 1757

5 By: Representative Hillman
6

7 **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.
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14 **Subtitle**

15 TO REQUIRE AN OFF-PREMISE CATERER TO
16 REGISTER WITH THE SECRETARY OF STATE; AND
17 TO AMEND THE INSURANCE REQUIREMENTS FOR
18 AN OFF-PREMISE CATERER'S PERMIT.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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)~~ (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)(B) Had gross food sales in excess of one hundred~~



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

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

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

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

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

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

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

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25 /s/Hillman
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