

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

A Bill

SENATE BILL 496

5 By: Senator Flippo
6

For An Act To Be Entitled

8 AN ACT TO PROHIBIT THE ALCOHOLIC BEVERAGE CONTROL
9 DIVISION AND THE ALCOHOLIC BEVERAGE CONTROL
10 ENFORCEMENT DIVISION FROM ENFORCING LAWS REGARDING
11 GAMING DEVICES; TO AUTHORIZE THE SALE OF PULL-TAB
12 CARDS; TO AUTHORIZE PROSECUTING ATTORNEYS TO DEFINE
13 GAMING DEVICE IN EACH COUNTY; AND FOR OTHER PURPOSES.
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Subtitle

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16 TO PROHIBIT THE ALCOHOLIC BEVERAGE
17 AUTHORITIES FROM ENFORCING LAWS REGARDING
18 GAMING DEVICES; AND TO AUTHORIZE
19 PROSECUTING ATTORNEYS TO DEFINE GAMING
20 DEVICE IN EACH COUNTY.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code § 3-2-205, concerning the powers and duties
27 of the Alcoholic Beverage Control Division and the Alcoholic Beverage Control
28 Enforcement Division, is amended to add an additional subsection to read as
29 follows:

30 (f) This section does not apply to gaming devices or gambling devices
31 under § 5-66-104.
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33 SECTION 2. Arkansas Code § 5-66-104 is amended to read as follows:
34 5-66-104. Gaming devices – Prohibition.

35 (a) It is unlawful for a person to set up, keep, or exhibit any gaming
36 table or gambling device, commonly called “A. B. C.”, “E. O.”, roulette, or



1 rouge et noir, any faro bank, or any other gaming table or gambling device,
2 or bank of the like or similar kind, or of any other description although not
3 named in this section, regardless of the name or denomination, either:

4 (1) Adapted, devised, or designed for the purpose of playing any
5 game of chance; or

6 (2) At which any money or property may be won or lost.

7 (b)(1)(A) In addition to the devices listed in subdivision (a)(1) of
8 this section, each prosecuting attorney may specify devices as lawful and
9 unlawful gaming devices under this section.

10 (B) If a prosecuting attorney makes a specification of
11 devices under subdivision (b)(1)(A) of this section, the prosecuting attorney
12 shall provide public notice of the specification of devices.

13 (2) This subsection does not apply to a gaming device under § 5-
14 66-114(b).

15 ~~(b)(c)~~ Upon conviction, a person who violates this section is guilty
16 of an unclassified misdemeanor and shall be fined in any sum not less than
17 one hundred dollars (\$100) and may be imprisoned any length of time not less
18 than thirty (30) days nor more than one (1) year.

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20 SECTION 3. Arkansas Code Title 5, Chapter 66, Subchapter 1, is amended
21 to add an additional section to read as follows:

22 5-66-121. Application to pull-tabs.

23 (a) As used in this section, "pull-tab" means a ticket that is sold as
24 a means to play a pull-tab game by:

25 (1) Opening perforated windows on the back of the ticket; and

26 (2) Matching the symbols inside the ticket to the winning
27 combinations on the front of the ticket.

28 (b) This chapter does not apply to a pull-tab.