

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

A Bill

SENATE BILL 508

5 By: Senator Irvin
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW REGARDING ARKANSAS
9 DISTILLERIES; TO AUTHORIZE ON-PREMISES SALES BY THE
10 DRINK; TO AUTHORIZE SAMPLING AND SALES AT FAIRS AND
11 FESTIVALS; TO DECLARE AN EMERGENCY; AND FOR OTHER
12 PURPOSES.
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Subtitle

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15 TO AMEND THE LAW REGARDING ARKANSAS
16 DISTILLERIES; TO AUTHORIZE ON-PREMISES
17 SALES BY THE DRINK; TO AUTHORIZE SAMPLING
18 AND SALES AT FAIRS AND FESTIVALS; AND TO
19 DECLARE AN EMERGENCY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 3-4-602(g), concerning alcoholic beverage
26 permits for distillers or manufacturers, is amended to read as follows:

27 (g) Under rules adopted by the director, a distiller or manufacturer
28 may:

29 (1) Sell, deliver, or transport to wholesalers;

30 (2) Sell, deliver, or transport to rectifiers;

31 (3) Export out of the state; ~~and~~

32 (4) Sell for off-premises consumption spirituous liquors the
33 distiller or manufacturer manufactures on any day of the week;

34 (5) Serve on the premises complimentary samples of liquors
35 produced by the distiller or manufacturer;

36 (6) Sell:



1 (A) At retail, by the drink or by the package, spirituous
2 liquors produced on the premises of the distillery if all sales occur in a
3 wet territory; or

4 (B)(i) At fairs and food, wine or beer festivals with the
5 permission and the consent of the management of the events.

6 (ii) A sales and use tax permit also is required for
7 sales under subdivision (g)(6)(B)(i) of this section; and

8 (7) Sell for consumption on the premises of the manufacturer:

9 (A) Liquors produced by the manufacturer or liquors which
10 the manufacturer may purchase from wholesalers licensed by the state;

11 (B) Wine;

12 (C) Beer; and

13 (D) Malt Liquor.

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15 SECTION 2. Arkansas Code § 3-4-602, concerning alcoholic beverage
16 permits for distillers or manufacturers, is amended to add additional
17 subsections to read as follows:

18 (i) Liquors may be sold for on-premises sale or off-premises sale, or
19 both, for consumption during all legal operating hours in which business is
20 normally and legally conducted on the premises, if:

21 (1) The manufacturer provides tours through its facility; and

22 (2) Only sealed containers are removed from the premises.

23 (j)(1) A manufacturer may provide liquor it manufactures to charitable
24 or nonprofit organizations or sell for resale liquor it manufactures to
25 charitable or nonprofit organizations holding valid special event permits
26 issued by the Alcoholic Beverage Control Board.

27 (2) The sale of products under subdivision (j)(1) of this
28 section is limited to the duration of the particular special event.

29 (k)(1) If approved by the Alcoholic Beverage Control Division and if
30 the division receives written notice at least five (5) days before the event,
31 the division may authorize a distiller to conduct a spirituous liquor tasting
32 event for educational or promotional purposes at any location in a wet area
33 of this state.

34 (2)(A) Before an authorization is issued under subdivision
35 (k)(1), the division shall receive written notice of the spirituous liquor
36 tasting event at least two (2) weeks before the event.

1 (B) A spirituous liquor tasting event may be held under
2 this subdivision (k)(1) of this section in any facility licensed by the
3 division in a wet area of this state.

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5 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the
6 General Assembly of the State of Arkansas that this act is essential to the
7 public interest and operation of the alcohol laws in the State of Arkansas;
8 that this act eliminates conflicting language and allows consistent
9 application of alcohol laws; that this act is immediately necessary due to
10 the substantial growth and continued expansion of the distilling industry in
11 Arkansas; that clear and consistent application of the law to the distilling
12 industry is in the public’s immediate interest as is controlling the
13 distribution of alcoholic beverages within the state. Therefore, an
14 emergency is declared to exist, and this act being immediately necessary for
15 the preservation of the public peace, health, and safety shall become
16 effective on:

17 (1) The date of its approval by the Governor;

18 (2) If the bill is neither approved nor vetoed by the Governor,
19 the expiration of the period of time during which the Governor may veto the
20 bill; or

21 (3) If the bill is vetoed by the Governor and the veto is
22 overridden, the date the last house overrides the veto.

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