

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H3/22/21

A Bill

HOUSE BILL 1763

5 By: Representatives Christiansen, Warren, Cozart, Haak, D. Garner, Rye, Tollett, Penzo
6 By: Senators L. Eads, C. Tucker, Hill, G. Leding
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING ARKANSAS
10 DISTILLERIES; TO AUTHORIZE SELF-DISTRIBUTION; TO
11 AUTHORIZE OUT-OF-STATE DIRECT TO CONSUMER SHIPMENTS;
12 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 TO AMEND THE LAW REGARDING ARKANSAS
16 DISTILLERIES; TO AUTHORIZE SELF-
17 DISTRIBUTION; TO AUTHORIZE OUT-OF-STATE
18 DIRECT TO CONSUMER SHIPMENTS; AND TO
19 DECLARE AN EMERGENCY.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

25 SECTION 1. Arkansas Code § 3-4-602(g), concerning the alcoholic
26 beverage permit for distillers or manufacturers, is amended to read as
27 follows:

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

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

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

32 (3) ~~Export out of the state;~~ Sell, deliver, or transport to
33 licensed retailers not more than fifteen thousand (15,000) nine-liter-
34 equivalent cases or thirty-five thousand six hundred sixty-seven gallons
35 (35,667 gals.) of spirituous liquors per year;

36 (4) Export out of the state;



1 (5) Ship directly to consumers outside this state, where receipt
2 is allowed;

3 ~~(4)~~(6) Sell for off-premises consumption spirituous or vinous
4 liquors the distiller or manufacturer manufactures *on any day of the week as*
5 allowed by law in a wet territory;

6 ~~(5)~~(7) Serve on the premises complimentary samples of liquors
7 produced by the distiller or manufacturer;

8 ~~(6)~~(8) Sell at retail, by the drink or by the package,
9 spirituous or vinous liquors produced on the premises of the distillery if
10 all sales occur in a wet territory; and

11 ~~(7)~~(9) Sell for consumption on the premises of the manufacturer:

12 (A) Liquors produced by the manufacturer or liquors that
13 the manufacturer may purchase from wholesalers licensed by the state;

14 (B) Wine;

15 (C) Beer; and

16 (D) Malt liquor.

17
18 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
19 General Assembly of the State of Arkansas that this act is essential to the
20 preservation of the public peace, health, and safety and to the operation of
21 the alcohol laws in the State of Arkansas; that this act eliminates
22 conflicting language and allows consistent application of alcohol laws; that
23 this act is immediately necessary due to the substantial growth and continued
24 expansion of the distilling industry in Arkansas; that clear and consistent
25 application of the law to the distilling industry is in the public's
26 immediate interest as is controlling the distribution of alcoholic beverages
27 within the state. Therefore, an emergency is declared to exist, and this act
28 being immediately necessary for the preservation of the public peace, health,
29 and safety shall become effective on:

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

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

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

36

/s/Christiansen

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36