

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1498

5 By: Representatives M. Brown, Magie  
6 By: Senators Irvin, J. Bryant  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING ALCOHOLIC  
10 BEVERAGES; TO AMEND THE LAW RELATED TO MICROBREWERY-  
11 RESTAURANT PRIVATE CLUBS; TO PERMIT A MICROBREWERY-  
12 RESTAURANT PRIVATE CLUB PERMITTEE TO STORE AND SELL  
13 SPIRITUOUS LIQUOR TO MEMBERS FOR ON-PREMISES  
14 CONSUMPTION; TO PROVIDE DISCRETION RELATED TO  
15 REVOCATION OF A MICROBREWERY-RESTAURANT PRIVATE CLUB  
16 PERMIT; TO INCLUDE MICROBREWERY-RESTAURANT PRIVATE  
17 CLUBS AS A TYPE OF ENTITY PERMITTED IN AN  
18 ENTERTAINMENT DISTRICT; AND FOR OTHER PURPOSES.  
19  
20

## Subtitle

21 TO AMEND THE LAW RELATED TO MICROBREWERY-  
22 RESTAURANT PRIVATE CLUBS.  
23  
24  
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
27

28 SECTION 1. Arkansas Code § 3-5-1901, concerning definitions related to  
29 microbrewery-restaurant private clubs, is amended to add an additional  
30 subdivision to read as follows:

31 (9) "On-premises consumption" means the sale of alcoholic  
32 beverages by the drink or in broken or unsealed containers for consumption:

33 (A) On the premises where sold; or

34 (B) Within the boundaries of a designated entertainment  
35 district established under § 14-54-1412 that is contiguous with the premises.  
36



1 SECTION 2. Arkansas Code § 3-5-1904(a)(2) and (3), concerning the  
 2 scope of a microbrewery-restaurant private club permit, are amended to read  
 3 as follows:

4 (2)(A) Store beer, malt beverage, and hard cider manufactured by  
 5 the microbrewery-restaurant private club and any other beer, malt beverage,  
 6 ~~and hard cider, and spirituous liquor~~ that the microbrewery-restaurant  
 7 private club permittee may purchase from retailers and small brewers  
 8 permitted by this state on the microbrewery-restaurant private club permitted  
 9 premises and on the premises of the one (1) separate brewing facility of a  
 10 microbrewery-restaurant private club authorized under subdivision (a)(8) of  
 11 this section.

12 (B) Two (2) or more microbrewery-restaurant private clubs  
 13 sharing common ownership or a brewery of any size sharing common ownership  
 14 with a microbrewery-restaurant private club shall be considered one (1)  
 15 entity for purposes of:

- 16 (i) Calculating barrel production; and
- 17 (ii) The transportation of beer, malt beverage, or  
 18 hard cider produced by one (1) entity among no more than three (3)  
 19 microbrewery-restaurant private clubs of the one (1) entity;

20 (3) Operate a restaurant that:

21 ~~(A) is~~ Is the sales outlet for beer, malt beverage, or  
 22 hard cider manufactured by the microbrewery-restaurant private club; and

23 ~~(B) that sells~~ Sells the beer, malt beverage, or hard  
 24 cider and any other beer, malt beverage, hard cider, ~~or wine,~~ or spirituous  
 25 liquor that the microbrewery-restaurant private club permittee may purchase;

26 ~~(i) from~~ From retailers permitted by this state for  
 27 on-premises consumption ~~on the permitted premises;~~ or

28 ~~(ii) purchased directly~~ Directly from permitted  
 29 small brewers allowed to distribute directly to the microbrewery-restaurant  
 30 private club;

31  
 32 SECTION 3. Arkansas Code § 3-5-1905(b), concerning the penalty on a  
 33 microbrewery-restaurant private club permit holder related to prohibited  
 34 sales, is amended to read as follows:

35 (b) If a permittee sells, barter, loans, or gives away an alcoholic  
 36 beverage in violation of this subchapter or other alcoholic beverage control

1 laws of this state, the permit of the club ~~shall~~ may be revoked.

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 3 SECTION 4. Arkansas Code § 3-5-1906(1), concerning the state  
 4 permitting fee paid by a microbrewery-restaurant private club permittee, is  
 5 amended to read as follows:

6 (1) Pay the applicable city or county permit fees and barrelage  
 7 or taxes and shall pay a state permitting fee to the Alcoholic Beverage  
 8 Control Division of seven hundred fifty dollars (\$750) per fiscal year to  
 9 manufacture and sell to members its beer, malt beverages, and hard cider for  
 10 on-premises consumption ~~on the premises~~ and to sell to members other beer,  
 11 malt beverages, ~~and~~ hard cider, and spirituous liquor purchased from a  
 12 permitted ~~wholesaler~~ retailer for on-premises consumption ~~on the premises~~;  
 13

14 SECTION 5. Arkansas Code § 14-54-1412(a)(2), concerning the definition  
 15 of a "designated entertainment district", is amended to read as follows:

16 (2) Contains any number and any combination of restaurants,  
 17 taprooms, taverns, entertainment establishments, hospitality establishments,  
 18 music venues, theaters, bars, private clubs, microbrewery-restaurant private  
 19 clubs, art galleries, art studios, tourist destinations, distilleries, dance  
 20 clubs, cinemas, or concert halls.