

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4
5 By: Senator J. Bryant
6

A Bill

SENATE BILL 475

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW REGARDING ALCOHOLIC
9 BEVERAGES; TO CLARIFY THE VIOLATION REGARDING THE
10 SALE OF CONTROLLED BEVERAGES BY VENDING MACHINE; TO
11 AUTHORIZE THE SALE THROUGH A DISPENSING MACHINE UNDER
12 CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.
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Subtitle

14
15 TO AMEND THE LAW REGARDING ALCOHOLIC
16 BEVERAGES; TO CLARIFY THE VIOLATION
17 REGARDING THE SALE OF CONTROLLED
18 BEVERAGES BY VENDING MACHINE; AND TO
19 AUTHORIZE THE SALE THROUGH A DISPENSING
20 MACHINE UNDER CERTAIN CIRCUMSTANCES.
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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 § 3-4-404(15), concerning Class B permit
27 violations related to the sale of controlled beverages by vending machine, is
28 amended to read as follows:

29 (15) ~~Sale~~ Except as provided in § 3-9-242, sale of controlled
30 beverages by vending machine.
31

32 SECTION 2. Arkansas Code Title 3, Chapter 9, Subchapter 2, is amended
33 to add an additional section to read as follows:

34 3-9-242. Dispensing machine - Definition.

35 (a) As used in this section, "spirituous liquors" means mixed drinks
36 or specialty drinks that are made by the permit holder at the premises.



1 (b) Notwithstanding the provisions of § 3-4-404(15) concerning vending
2 machine sales, an on-premises consumption permit holder may sell controlled
3 beverages via a dispensing machine located on the premises if:

4 (1) The dispensing machine is not located at a customer’s booth
5 or table;

6 (2) The customer activates the dispensing machine with a radio-
7 frequency identification device supplied by:

8 (A) The on-premises consumption permit holder; or

9 (B) A clerk, servant, agent, or employee of the on-
10 premises consumption permit holder;

11 (3) The radio-frequency identification device under subdivision
12 (b)(2) of this section is attached to the customer at all times;

13 (4) The dispensing machine does not dispense more than the
14 following before the radio-frequency identification device under subdivision
15 (b)(2) of this section requires reactivation by the on-premises consumption
16 permit holder or a clerk, servant, agent, or employee of the on-premises
17 consumption permit holder:

18 (A) Thirty-two ounces (32 oz) of beer;

19 (B) Twelve ounces (12 oz) of wine;

20 (C) Ten ounces (10 oz) of spirituous liquors; or

21 (D) Three ounces (3 oz) of unmixed spirits;

22 (5) The on-premises consumption permit holder or a clerk,
23 servant, agent, or employee of the on-premises consumption permit holder
24 monitors the sale, service, and consumption of beer, wine, spirituous
25 liquors, or unmixed spirits from the dispensing machine to ensure compliance
26 with this title and the rules promulgated under this title; and

27 (6) An on-premises consumption permit holder or a clerk,
28 servant, agent, or employee of the on-premises consumption permit holder that
29 supplies a radio-frequency identification device under subdivision (b)(2) of
30 this section or reactivates a radio-frequency identification device under
31 subdivision (b)(4) of this section shall comply with § 3-9-236.