

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

# A Bill

SENATE BILL 523

5 By: Senator C. Tucker  
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## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING ALCOHOLIC  
9 BEVERAGES; TO AMEND THE LAW CONCERNING THE EXPANSION  
10 OF OUTDOOR DINING AT RESTAURANTS TO INCLUDE BARS; AND  
11 FOR OTHER PURPOSES.  
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## Subtitle

14 TO AMEND THE LAW CONCERNING ALCOHOLIC  
15 BEVERAGES; AND TO AMEND THE LAW  
16 CONCERNING THE EXPANSION OF OUTDOOR  
17 DINING AT RESTAURANTS TO INCLUDE BARS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 3-4-109 is amended to read as follows:

24 3-4-109. Expansion of outdoor dining at restaurants and bars.

25 (a)(1) Except as provided in subsection (b) of this section, a  
26 restaurant or bar with a valid alcoholic beverage permit from the Alcoholic  
27 Beverage Control Division may expand its outdoor dining availability at the  
28 restaurant or bar with approval from the local government zoning authority of  
29 the municipality or county in which it is located without obtaining prior  
30 approval from the division.

31 (2) A restaurant or bar seeking approval to expand outdoor  
32 dining under subdivision (a)(1) of this section shall provide notice to the  
33 division of the expansion and change in floor plan.

34 (b) If the expansion in outdoor dining increases the seating capacity  
35 in a way that could result in a change in permit type, the restaurant or bar  
36 shall obtain division approval prior to expanding the outdoor dining area at



1 the restaurant or bar.

2 (c) A restaurant or bar that expands outdoor dining under this section  
3 shall comply with division rules regarding outdoor dining.

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