

Exhibit C

Items held over from June 19, 2025, meeting
concerning 2025 Act Errors and Issues

Items held over from June 19, 2025, meeting concerning 2025 Act Errors and Issues

A7. Act 706: The act amends § 8-7-907(a). At page 1, lines 25 and 26, the Arkansas Pollution Control and Ecology Commission is referenced as setting a deductible by rule. However, on page 2, lines 10 through 12, there is a reference to a deductible established by the "division" (meaning the Division of Environmental Quality) rather than the Arkansas Pollution Control and Ecology Commission. Given that the commission is mentioned again as a rulemaking authority at page 2, line 15, it appears "division" was intended to be "Arkansas Pollution Control and Ecology Commission."

C5. Act 796: Section 19 of the act amends § 25-11-205, the creation section for the Board of the Division of State Services for the Blind, to change its name to the Board of the Division of State Services for the Deaf and Blind (page 32, lines 7 and 8) and also changes a reference to the Division of State Services for the Blind to the Division of State Services for the Deaf and Blind (page 34, line 5). However, the statute creating the Division of State Services for the Blind is not amended by the act to make a similar change and the board and the division may have no powers or duties pertaining to individuals who are deaf. It appears these additions to § 25-11-205 may be unnecessary.

C6. Act 798: It appears the uses of "shall" and "may" may be inconsistent on page 1, lines 29 and 30. Section 23-117-103(b)(1) uses discretionary language at page 1, lines 28, and 29, and then says that the Arkansas Racing Commission "may" also maintain a statewide self-exclusion list. However, later language on page 1, line 30, provides that the commission "shall" take certain actions despite the discretionary language at the beginning of the subdivision.

D9. Act 762, § 12 amended § 3-9-221(b)(1)(A). **Act 500, § 2** repealed § 3-9-221(b)(1)(A).

Stricken language would be deleted from and underlined language would be added to present law.
Act 706 of the Regular Session

State of Arkansas *As Engrossed: H3/18/25*
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1277

By: Representative Gramlich
By: Senator J. Boyd

For An Act To Be Entitled

AN ACT TO AMEND PAYMENTS FOR CORRECTIVE ACTION
REGARDING PETROLEUM STORAGE TANKS; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND PAYMENTS FOR CORRECTIVE ACTION
REGARDING PETROLEUM STORAGE TANKS.

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

SECTION 1. Arkansas Code § 8-7-907(a), concerning payments for
corrective action regarding petroleum storage tanks, is amended to read as
follows:

(a)(1)(A) ~~No A~~ payment for corrective action shall not be paid from
the Petroleum Storage Tank Trust Fund until the owner or operator has
expended ~~seven thousand five hundred dollars (\$7,500)~~ the deductible set by
the rule of the Arkansas Pollution Control and Ecology Commission on
corrective action for the occurrence, except in cases in which the Director
of the Division of Environmental Quality is using emergency authority under §
8-7-905(e).

(B) It is the intent of the General Assembly that this
initial level of expenditure be considered the equivalent of an insurance
policy deductible.

(2) Owners or operators of underground storage tanks must
demonstrate financial responsibility for the ~~seven thousand five hundred-~~
~~dollar~~ deductible for corrective actions.



1 SECTION 2. Arkansas Code § 8-7-907(d), concerning payments for
2 corrective action regarding petroleum storage tanks, is amended to read as
3 follows:

4 ~~(d)(1)(A) Payment for corrective action may be denied if the storage~~
5 ~~tank owner or operator fails to report a release as required by rule~~
6 ~~promulgated by the Arkansas Pollution Control and Ecology Commission, and the~~
7 ~~failure to report the release causes a delay in the corrective action that~~
8 ~~contributes to an adverse impact to the environment.~~ The amount of the
9 deductible incurred by the owner or operator before the owner or operator is
10 eligible to receive payment for corrective action shall be established by
11 rule by the division with the advice and input of the Advisory Committee on
12 Petroleum Storage Tanks.

13 (B) However, the amount of the deductible shall not be
14 greater than thirty thousand dollars (\$30,000).

15 (2)(A) The Arkansas Pollution Control and Ecology Commission,
16 with the advice and input of the Advisory Committee on Petroleum Storage
17 Tanks, shall provide through rule a deductible that is more than seven
18 thousand five hundred dollars (\$7,500) but does not exceed thirty thousand
19 dollars (\$30,000) for violations of rules of the division as identified at
20 the time of the request for payment for corrective action.

21 (B) The rule may differentiate the variation of the
22 deductible based on the provision or section of the commission rule that was
23 violated.

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25 /s/Gramlich

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28 APPROVED: 4/16/25

Stricken language would be deleted from and underlined language would be added to present law.
Act 796 of the Regular Session

State of Arkansas *As Engrossed: H3/31/25 S4/8/25*

95th General Assembly

A Bill

Regular Session, 2025

HOUSE BILL 1810

By: Representative Joey Carr

By: Senator J. English

For An Act To Be Entitled

AN ACT TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING THE ARKANSAS SCHOOL FOR THE BLIND AND THE
ARKANSAS SCHOOL FOR THE DEAF; TO TRANSFER THE
ARKANSAS SCHOOL FOR THE BLIND AND THE ARKANSAS SCHOOL
FOR THE DEAF TO THE ARKANSAS SCHOOL FOR THE DEAF AND
BLIND; TO DECLARE AN EMERGENCY; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND PROVISIONS OF THE ARKANSAS CODE
CONCERNING THE ARKANSAS SCHOOL FOR THE
BLIND AND THE ARKANSAS SCHOOL FOR THE
DEAF; AND TO DECLARE AN EMERGENCY.

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

*SECTION 1. Arkansas Code § 5-14-132(a)(3), concerning the definition
of "public school" as it relates to registered offenders who are prohibited
from entering school campuses, are amended to read as follows:*

(3) "Public school" means any school in this state that is:

(A) A public school operated by a public school district;

(B) A charter school established under the Public School

Funding Act of 2003, § 6-20-2301 et seq.;

*(C) A state-funded prekindergarten program operated by a
public school or an education service cooperative;*

(D) The Arkansas School for the Deaf and Blind;

(E) ~~The Arkansas School for the Deaf;~~



1 college, a technical institute, a comprehensive life-long learning center, or
2 a community college in recognition of his or her contribution to education;

3
4 SECTION 19. Arkansas Code § 25-11-205 is amended to read as follows:

5 25-11-205. Board of the Division of State Services for the Deaf and
6 Blind.

7 (a) There is created a board to be known as the Board of the Division
8 of State Services for the Deaf and Blind, to be constituted as follows:

9 (1)(A) The board shall be composed of seven (7) members
10 appointed by the Governor with the advice and consent of the Senate.

11 (B)(i) One (1) member shall be appointed by the Governor
12 after consulting each of the following:

13 (a) The National Federation of the Blind of
14 Arkansas;

15 (b) The Arkansas Council of the Blind, Inc.;

16 (c) The Arkansas Lions Clubs Council of
17 Governors, which shall be a member of a member club of the Lions Clubs
18 International within Multiple District Seven for Arkansas;

19 (d) The Arkansas Association for Education and
20 Rehabilitation of the Blind and Visually Impaired; and

21 (e) The Arkansas School for the Deaf and
22 Blind.

23 (ii) Appointments made by the Governor under
24 subdivision (a)(1)(B)(i) of this section shall be subject to confirmation by
25 the Senate.

26 (C) The Governor shall appoint two (2) at-large members.

27 (D) One (1) or more of the members of the board shall be
28 at least fifty-five (55) years of age.

29 (E) At least four (4) members of the board shall be blind
30 as defined in § 25-11-202.

31 (2) Any board member whose term has expired shall continue to
32 serve as a member of the board until the member's successor is appointed and
33 qualified;

34 (3) All board members shall be appointed for terms of four (4)
35 years, and no person may serve more than two (2) consecutive full terms; and

36 (4) All vacancies which occur for any reason shall be filled by

1 appointment by the Governor, and any interim appointments shall be limited to
2 the unexpired term of the position vacated. Any person appointed to fill a
3 vacancy shall meet the qualifications for appointment held by his or her
4 predecessor on the board.

5 (b) The President of World Services for the Blind, the Superintendent
6 of the Arkansas School for the Deaf and Blind, one (1) representative
7 appointed by the Association for Education and Rehabilitation of the Blind
8 and Visually Impaired of Arkansas, one (1) representative appointed by the
9 Blinded Veterans Association of Arkansas, and one (1) representative
10 appointed by the Arkansas Association of Blind Business Managers shall serve
11 as ex officio nonvoting members of the board. Additional ex officio nonvoting
12 members may be appointed by the Governor at the request of a majority of the
13 board.

14 (c) Each member or ex officio member appointed to the board, before
15 entering upon the duties of office, shall take the oath prescribed by the
16 Arkansas Constitution for state officers and shall file the oath in the
17 office of the Secretary of State, who shall thereupon issue to the member a
18 certificate of appointment.

19 (d) Upon recommendation of a majority of the regular board members,
20 the Governor may remove any member of the board at any time for misconduct,
21 incompetency, neglect of duty, or any other good cause as may be determined
22 by the board.

23 (e) The board members shall not receive compensation for performance
24 of their duties. However, they may receive expense reimbursement in
25 accordance with § 25-16-901 et seq.

26 (f) After the members of the board have been duly appointed and are
27 serving, the board shall choose a chair from among the regular members as
28 presiding officer, who shall serve for a term of two (2) years. The board
29 shall also elect from among its regular members a vice chair and a secretary,
30 who shall serve for a term of one (1) year.

31 (g) The board shall meet at least quarterly at those times and places
32 as it may determine from time to time.

33 (h)(1) The board shall employ a commissioner, subject to the approval
34 of the Governor, qualified by experience to administer and implement the
35 policies and directives of the board.

36 (2) The ~~commissioner~~ Commissioner of the Board of the Division

1 of State Services for the Deaf and Blind shall report to the Secretary of the
2 Department of Commerce.

3 (3) The board may employ or appoint any additional personnel
4 necessary to carry out the functions, duties, and responsibilities entrusted
5 to the Division of State Services for the Deaf and Blind in accordance with
6 the requirements of law and within the limits of available appropriations.
7

8 SECTION 20. Arkansas Code § 25-16-904(19), concerning a stipend for
9 membership on the Board of Trustees of the Arkansas School for the Blind and
10 the Arkansas School for the Deaf, is amended to read as follows:

11 (19) Board of Trustees of the Arkansas School for the Deaf and
12 Blind ~~and the Arkansas School for the Deaf;~~
13

14 SECTION 21. Arkansas Code § 25-17-201(1), concerning an honorary board
15 for the Arkansas School for the Blind and the Arkansas School for the Deaf,
16 is amended to read as follows:

17 (1) A board of five (5) members constituting the Board of
18 Trustees of the Arkansas School for the Deaf and Blind ~~and the Arkansas~~
19 ~~School for the Deaf;~~
20

21 SECTION 22. Arkansas Code § 26-51-2503 is amended to read as follows:

22 26-51-2503. Contribution to the Arkansas School for the Deaf and Blind
23 ~~and the Arkansas School for the Deaf.~~

24 (a)(1) The Revenue Division of the Department of Finance and
25 Administration shall include on the Arkansas individual income tax forms,
26 including those forms on which a husband and wife file separately on the same
27 form, and on all corporate income tax forms, a designation as follows:

28 “(A) If you are entitled to a refund, check if you wish to
29 designate [] \$1, [] \$5, [] \$10, [] _____ (write in amount)
30 or [] all refund due of your tax refund for the Arkansas School for the
31 Deaf and Blind ~~and the Arkansas School for the Deaf.~~ Your refund will be
32 reduced by this amount.

33 (B) If you owe an additional amount, check if you wish to
34 contribute an additional [] \$1, [] \$5, [] \$10, [] _____
35 (write in amount) for the Arkansas School for the Deaf and Blind ~~and the~~
36 ~~Arkansas School for the Deaf.~~ If you wish to make a contribution to the

Stricken language would be deleted from and underlined language would be added to present law.
Act 798 of the Regular Session

State of Arkansas *As Engrossed: H4/2/25 S4/14/25*

95th General Assembly

A Bill

Regular Session, 2025

HOUSE BILL 1847

By: Representative McAlindon

By: Senator J. Payton

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING GAMBLING; TO
AUTHORIZE THE ARKANSAS RACING COMMISSION TO MAINTAIN
A STATEWIDE SELF-EXCLUSION LIST; AND FOR OTHER
PURPOSES.

Subtitle

TO AUTHORIZE THE ARKANSAS RACING
COMMISSION TO MAINTAIN A STATEWIDE SELF-
EXCLUSION LIST.

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

SECTION 1. Arkansas Code Title 23, Chapter 117, is amended to add an
additional section to read as follows:

23-117-103. Self-exclusion list – Definition.

(a) As used in this section, "self-exclusion" or "self-excluded" means
a declaration from an individual to a casino that he or she would like to be
excluded from entering the casino's facility.

(b)(1) At the discretion of the Director of the Arkansas Racing
Commission, the Arkansas Racing Commission *may also* maintain a statewide
self-exclusion list, and the commission *shall*:

(A) Join a multi-state or national self-exclusion program
operated to ensure responsible gaming services; or

(B) Enter into an agreement with another state or states
for the sharing and mutual enforcement of each state's respective self-
exclusion list.

(2) The self-exclusion list maintained under subdivision (b)(1)



1 of this section shall serve as the definitive list of self-excluded
2 individuals in lieu of a separate list maintained by each casino to comply
3 with rules regarding a casino's obligations related to self-excluded
4 individuals.

5 (3) Information received by the commission for the self-
6 exclusion list under this section is confidential and is not subject to
7 examination or disclosure as public information under the Freedom of
8 Information Act of 1967, § 25-19-101 et seq.

9 (c)(1) This section does not permit the commission or an entity
10 involved under subsection (b) of this section to disclose the name or
11 information of an individual on the self-exclusion list without the
12 individual's authorization.

13 (2) The self-exclusion list shall not be open to public
14 inspection.

15 (3) A casino or an employee of a casino shall not be liable to a
16 self-excluded individual or other person for harm, monetary or otherwise,
17 that may arise as a result of the disclosure or publication, other than a
18 willful and unlawful disclosure or publication, of the identify of a self-
19 excluded individual.

20 (d)(1) An individual on the self-exclusion list shall not collect in
21 any manner or proceeding any winnings or recover any losses arising as a
22 result of prohibited gaming activity.

23 (2) Solely for the purposes of this section, gaming activity
24 that results in a self-excluded individual obtaining money or a thing of
25 value from, or being owed any money or thing of value by, a casino is a fully
26 executed gambling transaction.

27 (e)(1) Money or a thing of value that has been obtained by or is owed
28 to an individual on the self-exclusion list by a casino as a result of wagers
29 made by the individual on the self-exclusion list is subject to forfeiture
30 following notice to the individual and an opportunity to be heard.

31 (2) An amount forfeited under subdivision (e)(1) of this section
32 shall be deposited into the General Revenue Fund.

33 (f) Any cost associated with commission requirements under subsection
34 (b) of this section may be paid from an assessment paid by each casino or
35 from amounts forfeited under The Arkansas Casino Gaming Amendment of 2018,
36 Arkansas Constitution, Amendment 100.

1
2 (g)(1) An individual is not permitted to add an individual other than
3 himself or herself onto the self-exclusion list.

4 (2) A casino shall require an individual to present his or her
5 identification to confirm identity before placement on the self-exclusion
6 list.

7 (h) The commission shall promulgate rules to implement and enforce
8 this section, including without limitation rules concerning:

9 (1) The transition from a single-location self-exclusion list to
10 a statewide or broader self-exclusion list;

11 (2) An option for a self-excluded individual to select the state
12 with which the commission is authorized to share his or her information;

13 (3) A means for an individual to join a self-exclusion list in
14 multiple states using a single form; and

15 (4) A means for an individual to remove himself or herself from
16 the self-exclusion list.

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18 */s/McAlindon*

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21 **APPROVED: 4/17/25**
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Stricken language would be deleted from and underlined language would be added to present law.
Act 762 of the Regular Session

State of Arkansas

As Engrossed: H4/7/25

95th General Assembly

A Bill

Regular Session, 2025

SENATE BILL 523

By: Senator Irvin

By: Representative Dalby

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING ALCOHOLIC
BEVERAGES; TO REMOVE THE REQUIREMENT THAT A PRIVATE
CLUB BE A NONPROFIT ORGANIZATION; AND FOR OTHER
PURPOSES.

Subtitle

TO AMEND THE LAW REGARDING ALCOHOLIC
BEVERAGES; AND TO REMOVE THE REQUIREMENT
THAT A PRIVATE CLUB BE A NONPROFIT
ORGANIZATION.

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

SECTION 1. *DO NOT CODIFY. Legislative findings.*

The General Assembly finds that:

(1) The regulatory framework governing private clubs in this state
needs to be modernized to reflect evolving economic realities;

(2) Permitting flexibility in business structures can enhance
efficiency and economic viability and encourage broader investment and
growth;

(3) Allowing private clubs in dry counties to operate through diverse
business entities, including without limitation corporations, partnerships,
and limited liability companies, will foster competitive fairness, stimulate
local economic development, and attract increased investment by offering
businesses greater operational flexibility; and

(4) Permitting private clubs in dry counties to function through any
legally recognized business entity structure, including without limitation



~~private club permit additionally holds a retail beer permit, retail wine for consumption on the premises permit, or cafe or restaurant wine permit, the hours of operation authorized for the private club shall likewise apply to all permits of the business entity.~~

~~(D) A corporation, partnership, individual, or limited liability company applying for a hotel, restaurant, or large event facility private club permit under § 3-9-221(a)(3)(B) is not required to form a nonprofit corporation but shall otherwise comply with all requirements of § 3-9-240;~~

SECTION 12. **Arkansas Code § 3-9-221**, as amended by Acts 2025, No. 421, § 3, is amended to read as follows:

3-9-221. Private clubs – Exception from alcoholic beverage laws.

(a) The General Assembly recognizes that:

~~(1) Many individuals in this state serve mixed drinks containing alcoholic beverages to their friends and guests in the privacy of their homes and, in addition, that many individuals associated together in private nonprofit corporations established for fraternal, patriotic, recreational, political, social, or other mutual purposes as authorized by law, established not for pecuniary gain, have provided for their mutual convenience and for the preparation and serving to themselves and their guests mixed drinks prepared from alcoholic beverages owned by the members individually or in common under a so-called “locker”, “pool”, or “revolving fund” system;~~

~~(2) Many individuals travel to this state to assemble at regional meetings and conventions to associate with other individuals who are members of professional and social organizations and that:~~

~~(A) Many of the restaurants and entertainment facilities used for the meetings and conventions promote the hospitality of the host communities where the restaurants, convention, and entertainment facilities are located;~~

~~(B) Many of the host organizations plan to serve mixed drinks containing alcoholic beverages to their friends and guests at these meetings and while entertaining and dining during these conventions; and~~

~~(C) Many of the host communities have individuals who have associated together in private nonprofit corporations established for recreational, social, community hospitality, professional association,~~

1 ~~entertainment, or other mutual purposes established, not for pecuniary gain,~~
2 ~~but for their mutual convenience and to provide for the preparation and~~
3 ~~serving to themselves and their guests mixed drinks prepared from alcoholic~~
4 ~~beverages owned by the members individually or in common under a so-called~~
5 ~~locker, pool, or revolving fund system; and~~

6 ~~(3)(A)(i)(1)(A)~~ There are a number of counties or
7 parts of counties where the public retail sale of intoxicating liquors has
8 not been approved by the voters.

9 ~~(ii)(B)~~ However, within those counties or parts of
10 counties there are significant developments of tourism facilities and large-
11 event facilities that promote the economic development of the state; i

12 ~~(B)(2)~~ To ensure that tourism and large-event facilities
13 as well as other associated activities are allowed to exist to promote the
14 economic development in the state, a new hotel, ~~restaurant,~~ or large-event
15 facility private club permit, for use in those places where the public retail
16 sale of intoxicating liquors is not authorized, should be created; i

17 ~~(G)(3)~~ These permits are necessary so that persons
18 visiting hotels, ~~restaurants,~~ or large-event facilities in these areas will
19 be able to enjoy the amenities that a person might find in other states; i

20 ~~(D)(4)~~ This additional permit will enhance the experience
21 of going to hotels, ~~restaurants,~~ or large-event facilities that may display
22 items of historic interest, contain extensive art collections, or host
23 musical or dramatic presentations; i and

24 ~~(E)(5)~~ Further, since the counties or parts of counties in
25 which these hotels, ~~restaurants,~~ or large-event facilities will be located do
26 not allow the open public retail sale of intoxicating liquors, the hotel
27 facilities, ~~restaurants,~~ or large-event facilities should be allowed to offer
28 alcoholic beverages to guests.

29 **(b)(1)** In order to clarify the alcoholic beverage control laws of this
30 state and to regulate and prohibit the sale of alcoholic beverages in
31 violation of the provisions of this subchapter and other applicable alcoholic
32 beverage control laws of this state, the General Assembly determines that the
33 preparation, mixing, and serving of mixed drinks, beer, and wine for
34 consumption only on the premises of a private club as defined in ~~§ 3-9-~~
35 ~~202(14) § 3-9-202~~ § 3-9-202 by the members thereof and their guests and the making of a
36 charge for such services shall not be deemed to be a sale or be in violation

1 of any law of this state prohibiting the manufacture, sale, barter, loan, or
2 giving away of intoxicating liquor whenever:

3 (A) ~~The~~ If the private club permittee is a nonprofit
4 organization, the alcoholic beverages, beer, and wine ~~so consumed have been~~
5 may be furnished or drawn from private stocks thereof belonging to ~~such the~~
6 members, individually or in common under a so-called locker, pool, or
7 revolving fund system and are that is replenished only at the expense of ~~such~~
8 the members; and

9 (B) The private club has acquired a permit from the
10 Alcoholic Beverage Control Board, in ~~such the~~ form as the board may
11 appropriately determine.

12 (2)(A) A private club may serve any alcoholic beverage ~~furnished~~
13 ~~or drawn under the provisions of subdivision (b)(1) of this section~~ on the
14 golf course on which the private club is located when the private club is
15 hosting a professional golf tournament or other charitable golf tournament
16 sponsored by a charitable organization described in 26 U.S.C. § 501(c)(3) and
17 the Director of the Alcoholic Beverage Control Division has been notified by
18 the private club at least sixty (60) calendar days prior to the beginning of
19 the event.

20 (B) Persons attending the event may purchase alcoholic
21 beverages from the private club ~~shall be deemed guests of the private club,~~
22 ~~and the club may serve the alcoholic beverages to the guests for cash.~~

23 (C) The director may promulgate rules he or she deems
24 necessary to implement this subdivision (b)(2).

25 (c) In order to clarify the alcoholic beverage control laws of this
26 state and to regulate and prohibit the sale of alcoholic beverages in
27 violation of the provisions of this subchapter and other applicable alcoholic
28 beverage control laws of this state, the General Assembly determines that the
29 preparation, mixing, and serving of wine and beer for consumption only by the
30 lodging guests on the premises of a bed and breakfast private club as defined
31 in ~~§ 3-9-202(2)~~ § 3-9-202 and the making of a charge for ~~such the~~ services
32 shall not be deemed to be a sale or to be in violation of any law of this
33 state prohibiting the manufacture, sale, barter, loan, or giving away of
34 intoxicating liquor whenever:

35 (1) ~~The wine and beer so consumed have been furnished or drawn~~
36 ~~from private stocks belonging to an owner of the bed and breakfast private~~

Stricken language would be deleted from and underlined language would be added to present law.

Act 500 of the Regular Session

State of Arkansas As Engrossed: H3/4/25 H3/12/25 H3/19/25

95th General Assembly

A Bill

Regular Session, 2025

HOUSE BILL 1455

By: Representative Pilkington

By: Senator J. Bryant

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING PRIVATE CLUBS; TO
AUTHORIZE CERTAIN PRIVATE CLUBS TO PURCHASE CERTAIN
PRODUCTS DIRECTLY FROM A SMALL BREWERY PERMIT HOLDER
UNDER AN EXCLUSIVE AGREEMENT; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE CERTAIN PRIVATE CLUBS TO
PURCHASE CERTAIN PRODUCTS DIRECTLY FROM
A SMALL BREWERY PERMIT HOLDER UNDER AN
EXCLUSIVE AGREEMENT.

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

SECTION 1. Arkansas Code § 3-4-405(a)(21), concerning Class C permit violations, is amended to read as follows:

(21) Unauthorized purchasing by a private club from other than a retailer or small brewery permit holder as provided in § 3-9-221;

SECTION 2. Arkansas Code § 3-9-221(a) and (b), concerning the private club exception from alcoholic beverage laws, are amended to read as follows:

(a) The General Assembly recognizes that:

(1) Many individuals in this state serve mixed drinks containing alcoholic beverages to their friends and guests in the privacy of their homes and, in addition, that many individuals associated together in private nonprofit corporations established for fraternal, patriotic, recreational, political, social, or other mutual purposes as authorized by law, established not for pecuniary gain, have provided for their mutual convenience and for



1 the preparation and serving to themselves and their guests mixed drinks
2 prepared from alcoholic beverages ~~owned by the members individually or in~~
3 ~~common under a so-called "locker", "pool", or "revolving fund" system~~
4 lawfully purchased;

5 (2) Many individuals travel to this state to assemble at
6 regional meetings and conventions to associate with other individuals who are
7 members of professional and social organizations and that:

8 (A) Many of the restaurants and entertainment facilities
9 used for the meetings and conventions promote the hospitality of the host
10 communities where the restaurants, convention, and entertainment facilities
11 are located;

12 (B) Many of the host organizations plan to serve mixed
13 drinks containing alcoholic beverages to their friends and guests at these
14 meetings and while entertaining and dining during these conventions; and

15 (C) Many of the host communities have individuals who have
16 associated together in private nonprofit corporations established for
17 recreational, social, community hospitality, professional association,
18 entertainment, or other mutual purposes established, not for pecuniary gain,
19 but for their mutual convenience and to provide for the preparation and
20 serving to themselves and their guests mixed drinks prepared from alcoholic
21 beverages ~~owned by the members individually or in common under a so-called~~
22 ~~locker, pool, or revolving fund system~~ lawfully purchased; and

23 (3)(A)(i) That there are a number of counties or parts of
24 counties where the public retail sale of intoxicating liquors has not been
25 approved by the voters.

26 (ii) However, within those counties or parts of
27 counties there are significant developments of tourism facilities and large-
28 event facilities that promote the economic development of the state.

29 (B) To ensure that tourism and large-event facilities as
30 well as other associated activities are allowed to exist to promote the
31 economic development in the state, a new hotel or large-event facility
32 private club permit, for use in those places where the public retail sale of
33 intoxicating liquors is not authorized, should be created.

34 (C) These permits are necessary so that persons visiting
35 hotels or large-event facilities in these areas will be able to enjoy the
36 amenities that a person might find in other states.

1 (D) This additional permit will enhance the experience of
2 going to hotels or large-event facilities that may display items of historic
3 interest, contain extensive art collections, or host musical or dramatic
4 presentations.

5 (E)(i) Further, since the counties or parts of counties in
6 which these hotels or large-event facilities will be located do not allow the
7 open public retail sale of intoxicating liquors, the nonprofit corporations
8 that have been established to have the hotel facilities or the large-event
9 facilities should be allowed to offer alcoholic beverages to members of the
10 nonprofit corporations and their guests.

11 (ii) These nonprofit corporations have been
12 established for the purpose of operating a qualifying hotel or large-event
13 facility private club or other mutual purposes, not for pecuniary gain, but
14 for their mutual convenience and to provide for the preparation and serving
15 to the members and their guests alcoholic beverages ~~owned by the members~~
16 ~~individually or in common under a locker, pool, or revolving fund system~~
17 lawfully purchased.

18 (b)(1) In order to clarify the alcoholic beverage control laws of this
19 state and to regulate and prohibit the sale of alcoholic beverages in
20 violation of the provisions of this subchapter and other applicable alcoholic
21 beverage control laws of this state, the General Assembly determines that the
22 preparation, mixing, and serving of mixed drinks, beer, and wine for
23 consumption only on the premises of a private club as defined in § 3-9-
24 202(14) by the members thereof and their guests and the making of a charge
25 for such services shall not be deemed to be a sale or be in violation of any
26 law of this state prohibiting the manufacture, sale, barter, loan, or giving
27 away of intoxicating liquor ~~whenever~~

28 ~~(A) The alcoholic beverages, beer, and wine so consumed~~
29 ~~have been furnished or drawn from private stocks thereof belonging to such~~
30 ~~members, individually or in common under a so-called locker, pool, or~~
31 ~~revolving fund system and are replenished only at the expense of such~~
32 ~~members; and~~

33 ~~(B) The~~ the private club has acquired a permit from the
34 Alcoholic Beverage Control Board, in such form as the board may appropriately
35 determine.
36