

Stricken language would be deleted from and underlined language would be added to present law.
Act 1172 of the Regular Session

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/26/15, S3/31/15

A Bill

HOUSE BILL 1390

By: Representative Hammer

By: Senator B. King

For An Act To Be Entitled

AN ACT TO CLARIFY THE DEFINITION OF "CHURCH" FOR
PURPOSES OF RETAIL LIQUOR PERMITS; AND FOR OTHER
PURPOSES.

Subtitle

TO CLARIFY THE DEFINITION OF "CHURCH" FOR
PURPOSES OF RETAIL LIQUOR PERMITS.

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

SECTION 1. Arkansas Code § 3-4-206 is amended to read as follows:

3-4-206. Operation of retail liquor business near church or
schoolhouse prohibited.

(a) As used in this section, "church" means a church and all
immediately adjacent property owned or leased by the church that is used for
church purposes;

~~(a) No new permit to engage in the retail liquor business in this
state shall be issued by the Director of the Alcoholic Beverage Control
Division for the location of any business situated within two hundred (200)
yards of any church or schoolhouse.~~

~~(b) However, after August 13, 2001:~~

~~(1)(b)(1)~~ (1) No new permit to engage in the retail liquor business in
this state may be issued by the ~~director~~ Director of Alcoholic Beverage
Control Division for the location of any business situated within one
thousand feet (1,000') of any church or schoolhouse property line; ~~and.~~

~~(2)(4)~~ (2) No existing permit to engage in the retail liquor



business in this state may be transferred to a location within one thousand feet (1,000') of any church or schoolhouse property line.

~~(B) As an exception to subdivision (b)(2)(A) of this section, if any retail liquor business in this state already exists within one thousand feet (1,000') of one (1) or more churches or schoolhouses, then that same retail liquor store may be allowed to transfer to a new location that is within one thousand feet (1,000') of the closest church or schoolhouse to the present liquor store location if the new location is determined by the Alcoholic Beverage Control Division to serve the public convenience and advantage.~~

(3) The distance specified in subdivisions (b)(1) and (2) of this section shall be measured by nearest property line point to nearest property line point.

(4) Subdivisions (b)(1) and (2) of this section apply only to an application for a new permit or the transfer of an existing permit filed with the Alcoholic Beverage Control Board after August 1, 2015.

/s/Hammer

APPROVED: 04/07/2015