

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:* H3/22/21 H3/29/21 H4/1/21
93rd General Assembly **A Bill**
Regular Session, 2021

HOUSE BILL 1763

By: Representatives Christiansen, Warren, Cozart, Haak, D. Garner, Rye, Tollett, Penzo
By: Senators L. Eads, C. Tucker, Hill, G. Leding

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING ARKANSAS
*DISTILLERIES; TO AUTHORIZE SELF-DISTRIBUTION; TO
DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.*

Subtitle

*TO AMEND THE LAW REGARDING ARKANSAS
DISTILLERIES; TO AUTHORIZE SELF-
DISTRIBUTION; AND TO DECLARE AN
EMERGENCY.*

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

SECTION 1. Arkansas Code § 3-4-602(g), concerning the alcoholic beverage permit for distillers or manufacturers, is amended to read as follows:

(g) Under rules adopted by the director, a distiller or manufacturer may:

- (1) Sell, deliver, or transport to wholesalers;
- (2) Sell, deliver, or transport to rectifiers;
- (3) ~~Export out of the state;~~ Sell, deliver, or transport to licensed retailers not more than fifteen thousand (15,000) nine-liter-equivalent cases or thirty-five thousand six hundred sixty-seven gallons (35,667 gals.) of spirituous liquors per year;

(4) Export out of the state;

~~(4)(5)~~ Sell for off-premises consumption spirituous or vinous liquors the distiller or manufacturer manufactures on any day of the week;



~~(5)~~(6) Serve on the premises complimentary samples of liquors produced by the distiller or manufacturer;

~~(6)~~(7) Sell at retail, by the drink or by the package, spirituous or vinous liquors produced on the premises of the distillery if all sales occur in a wet territory; and

~~(7)~~(8) Sell for consumption on the premises of the manufacturer:

(A) Liquors produced by the manufacturer or liquors that the manufacturer may purchase from wholesalers licensed by the state;

(B) Wine;

(C) Beer; and

(D) Malt liquor.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that this act is essential to the preservation of the public peace, health, and safety and to the operation of the alcohol laws in the State of Arkansas; that this act eliminates conflicting language and allows consistent application of alcohol laws; that this act is immediately necessary due to the substantial growth and continued expansion of the distilling industry in Arkansas; that clear and consistent application of the law to the distilling industry is in the public's immediate interest as is controlling the distribution of alcoholic beverages within the state. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Christiansen

APPROVED: 4/14/21