

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: S3/29/23
A Bill

SENATE BILL 472

By: Senator Irvin

By: Representative Maddox

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING ALCOHOLIC BEVERAGES; TO AUTHORIZE A STATE PARK TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION WITHOUT OBTAINING A PERMIT FROM THE ALCOHOLIC BEVERAGE CONTROL DIVISION; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW REGARDING ALCOHOLIC BEVERAGES; AND TO AUTHORIZE A STATE PARK TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION WITHOUT OBTAINING A PERMIT FROM THE ALCOHOLIC BEVERAGE CONTROL DIVISION.

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

SECTION 1. Arkansas Code Title 3, Chapter 9, Subchapter 1, is amended to add an additional section to read as follows:

3-9-103. State parks – Definition.

(a) As used in this section:

(1) "Alcoholic beverages" means a beverage containing more than five-tenths of one percent (0.5%) of alcohol by weight; and

(2) "On-premises consumption" means the serving of alcoholic beverages on the state park property, including without limitation at a restaurant or outdoor event.

(b)(1) A state park may seek approval from the Secretary of the



Department of Parks, Heritage, and Tourism to sell alcoholic beverages or provide complimentary servings of alcoholic beverages for on-premises consumption to an individual who is twenty-one (21) years of age or older at the state park during legal operating hours without obtaining a permit from the Alcoholic Beverage Control Division.

(2)(A) Upon approval by the secretary, the state park is authorized to sell or serve alcoholic beverages as described under subdivision (b)(1) of this section.

(B) A state park that has obtained authorization under subdivision (b)(2)(A) may allow a third party vendor at the state park to serve alcoholic beverages as described under subdivision (b)(1) of this section.

(3) A state park authorized to sell alcoholic beverages under this subsection shall serve the alcoholic beverages only during operating hours of the premises, including without limitation:

(A) The hours of operation of a restaurant on the state park property; or

(B) The hours of an outdoor event.

(c)(1) A state park authorized to sell alcoholic beverages under subsection (b) of this section shall purchase all alcoholic beverages from a wholesaler.

(2) A wholesaler may sell and distribute alcoholic beverages to a state park in any county that has been approved under this section to sell or serve alcoholic beverages.

(d)(1) A state park authorized to sell alcoholic beverages under subsection (b) of this section is not subject to the provision of § 3-3-211 or § 3-9-201 et seq.

(2) A state park authorized to sell alcoholic beverages under subsection (b) of this section is subject to all other applicable Arkansas laws involving the distribution and sale of alcoholic beverages that do not conflict with this section.

(e) A state park approved under this section to sell or serve alcoholic beverages shall:

(1) Comply with all division rules; and

(2) Renew the state park's approval to sell or serve alcoholic beverages with the secretary yearly.

(f) Liability shall be with the:

(1) State park approved under this section to sell or serve alcoholic beverages; or

(2) Third-party vendor that served the alcoholic beverage at a state park under this section.

(g) The division shall:

(1) Promulgate rules to implement this section; and

(2) Monitor and enforce compliance.

(h) A violation found by the division through monitoring under subdivision (g)(2) of this section shall be presented to the Alcoholic Beverage Control Board.

/s/Irvin

APPROVED: 4/11/23