

SENATE AMENDMENT 5 TO SB43.

deleting the quotation mark at the end of line 9 on page 2

and

by inserting an additional subsection to begin on line 10 on page 2 to read as follows:

"(d) A person in Arkansas may receive limited shipments of intoxicating liquors from wineries or other manufacturers outside of the State of Arkansas under an exception to this section if:

(1) The shipments are delivered to a retail package store, designated by such person, which holds a retail liquor permit issued by the State of Arkansas. Such designated package store shall have the responsibility of ensuring the person to receive such shipment is twenty-one (21) years old or older and that all applicable sales and excise taxes are paid on such shipment;

(2) The out-of-state winery, manufacturer or other Primary American Source has registered the brand or brands to be shipped into the State of Arkansas with the Director of the Alcoholic Beverage Control Division;

(3) The out-of-state winery, manufacturer or other Primary American Source sending such shipments ensures that reports of such shipments are received by the Department of Finance and Administration and that the wholesaler designated in the brand registration pays all applicable wholesale taxes due the State of Arkansas;

(4) Nothing contained in this section shall be construed as being violative of Arkansas three-tier system of distribution nor shall compliance with this section be construed as placing any permittee in violation of any existing laws or regulations;

(5) The Arkansas Alcoholic Beverage Control Division is authorized to promulgate and adopt reasonable rules and regulations to implement the intent and purposes of this act. "

and

by deleting the word "It" from line 13 on page 2 and substituting therefor the following:

"~~It~~ Except as is allowed under the exception in § 3-3-219(d) and rules or regulations promulgated thereunder, it"