

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

State of Arkansas
90th General Assembly
Regular Session, 2015

A Bill

HOUSE BILL 1391

By: Representative Hammer

For An Act To Be Entitled

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

Subtitle

TO CLARIFY THE DEFINITION OF "SCHOOL" FOR
PURPOSES OF RETAIL LIQUOR PERMIT.

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~~ school prohibited.

(a) As used in this section, "school" means a schoolhouse and a
structure at which children gather on a regular schedule for educational
purposes, including without limitation a:

- (1) Facility owned and operated by a public or private school;
- (2) Public or private daycare facility;
- (3) Citizen's club; and
- (4) Similar entities.

~~(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) No new permit to engage in the retail liquor business in
this state may be issued by the ~~director~~ Director of the Alcoholic Beverage



Control Division for the location of any business situated within one thousand feet (1,000') of any church or ~~schoolhouse~~ school; ~~and~~.

(2)(A) 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~~ school.

(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~~ schools, 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~~ school 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.