

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/9/17
A Bill

HOUSE BILL 1757

By: Representative Hillman

For An Act To Be Entitled

AN ACT TO REQUIRE AN OFF-PREMISE CATERER TO REGISTER WITH THE SECRETARY OF STATE; TO AMEND THE INSURANCE REQUIREMENTS FOR AN OFF-PREMISE CATERER'S PERMIT; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE AN OFF-PREMISE CATERER TO REGISTER WITH THE SECRETARY OF STATE; AND TO AMEND THE INSURANCE REQUIREMENTS FOR AN OFF-PREMISE CATERER'S PERMIT.

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

SECTION 1. Arkansas Code § 3-4-901 is amended to read as follows:
3-4-901. Definitions.

As used in this subchapter, ~~unless the context otherwise requires:~~

(1) "Alcoholic beverages" means any alcoholic beverage ~~which~~ that is sold at retail in Arkansas;

~~(2) "Director" means the Director of the Alcoholic Beverage Control Division;~~

~~(3)~~(2) "Off-premise Off-premises caterer" means an individual or business entity ~~which~~ that:

(A) ~~Has been in business for more than one (1) year~~ Is an entity registered with the Secretary of State and in good standing;

~~(B) Sixty percent (60%) or more of whose gross sales for the preceding year have been derived from food sales;~~

~~(C)~~(B) Had gross food sales in excess of one hundred



~~thousand dollars (\$100,000) for the preceding year~~ Maintains a liability policy with a minimum coverage of one million dollars (\$1,000,000);

~~(D)(C)~~ *For a fee, prepares food ~~and~~ or beverages to be consumed at private parties or other private functions; and*

~~(E)(D)~~ *Transports the food ~~and~~ or beverages from the permitted premises to the premises where the private function is being held; and*

~~(4)(3)~~ “Off-premise Off-premises caterer’s permit” means a license which that authorizes the holder thereof to purchase alcoholic beverages from a permitted retail outlet, to transport the alcoholic beverages to a private function which that is being catered by the permit holder, and to serve alcoholic beverages to attendees of a private function in conjunction with catered food.

SECTION 2. Arkansas Code § 3-4-903(b), concerning qualifications for off-premise caterer’s permits, is amended to read as follows:

(b)(1) ~~Furthermore, no An off-premise off-premises caterer’s permit shall not be issued until the applicant provides proof of general liability insurance providing coverage in an amount of no less than two hundred thousand dollars (\$200,000) one million dollars (\$1,000,000).~~

(2) If the off-premises caterer provides liquor as part of its service, liquor liability shall be included in the coverage under subdivision (b)(1) of this section.

/s/Hillman