

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1570

By: Representatives Hawks, Magie

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING MICROBREWERY-RESTAURANTS; TO AUTHORIZE THE GOVERNING BODY OF A COUNTY OR MUNICIPALITY IN A DRY AREA TO INITIATE THE PERMITTING PROCESS FOR A MICROBREWERY-RESTAURANT LICENSE; TO AMEND PORTIONS OF THE LAW RESULTING FROM INITIATED ACT 1 OF 1942; AND FOR OTHER PURPOSES.

Subtitle

AN ACT TO AMEND THE LAW REGARDING MICROBREWERY-RESTAURANTS; TO AUTHORIZE THE GOVERNING BODY IN A DRY AREA TO INITIATE THE PERMITTING PROCESS; AND TO AMEND THE LAW RESULTING FROM INITIATED ACT 1 OF 1942.

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

SECTION 1. Arkansas Code § 3-5-1204(b), concerning the issuance of a microbrewery-restaurant license in a dry area, is amended to read as follows:

(b) The director ~~shall not~~ may issue a microbrewery-restaurant license if the microbrewery-restaurant premises are in a dry area and the governing body of the county or municipality has approved by ordinance the application of the microbrewery-restaurant.

SECTION 2. Arkansas Code § 3-5-1206 is amended to read as follows:
3-5-1206. Licenses – Application.

(a) ~~Ne~~ A microbrewery-restaurant license shall not be issued unless



the applicant ~~shall file~~ files with the Director of the Alcoholic Beverage Control Division a verified application, in such form and with such content as the director ~~shall require~~ requires, accompanied by payment of the applicable fee.

(b) If the proposed microbrewery-restaurant is located in a dry area, the governing body of the county or municipality must approve the microbrewery-restaurant license applicant under § 3-5-1204.

SECTION 3. Arkansas Code § 3-8-209(a), concerning the penalty for the sale or furnishing a place to sell alcoholic beverages in a dry area resulting from Initiated Act 1 of 1942, is amended to read as follows:

(a) ~~It shall be~~ Except as provided in § 3-5-1204, it is unlawful for ~~any~~ a person, firm, or corporation to manufacture, sell, barter, loan, or give away intoxicating liquor in ~~any~~ a county, township, municipality, ward, or precinct in which the manufacture or sale of intoxicating liquor is ~~or~~ shall be prohibited under the provisions of Initiated Act No. 1 of 1942, §§ 3-8-201 – 3-8-203 and 3-8-205 – 3-8-209.