

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

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: H3/28/19
A Bill

SENATE BILL 492

By: Senators T. Garner, Bond, B. Sample, G. Leding, L. Chesterfield, Elliott
By: Representatives Barker, A. Collins, McCullough, Scott

For An Act To Be Entitled

AN ACT TO PROMOTE HOSPITALITY AND TOURISM; TO ESTABLISH AREAS OF A CITY OR TOWN THAT HIGHLIGHT RESTAURANT, ENTERTAINMENT, AND HOSPITALITY OPTIONS; TO ESTABLISH TEMPORARY OR *PERMANENT* DESIGNATED ENTERTAINMENT DISTRICTS; AND FOR OTHER PURPOSES.

Subtitle

TO PROMOTE HOSPITALITY AND TOURISM; TO ESTABLISH AREAS OF A CITY OR TOWN THAT HIGHLIGHT RESTAURANT, ENTERTAINMENT, AND HOSPITALITY OPTIONS; TO ESTABLISH TEMPORARY OR PERMANENT DESIGNATED ENTERTAINMENT DISTRICTS.

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

SECTION 1. Arkansas Code § 3-2-206, concerning the rulemaking authority of the Alcoholic Beverage Control Division, is amended to add an additional subsection to read as follows:

(f) A rule promulgated under this title that prohibits a person from possessing an alcoholic beverage outside of an establishment that holds a permit for on-premises consumption and from which the alcoholic beverage was purchased does not apply within a designated entertainment district as defined in § 14-54-1412.

SECTION 2. Arkansas Code § 5-71-212(e), concerning the exceptions to



consuming alcohol in public, is amended to read as follows:

(e) ~~The provisions of this~~ This section shall does not be construed to prohibit or restrict the consumption of an alcoholic beverage when consumed:

- (1) as As a part of a recognized religious ceremony or ritual; or
- (2) Within the physical boundaries of a designated entertainment district as defined in § 14-54-1412.

SECTION 3. Arkansas Code Title 14, Chapter 54, Subchapter 14, is amended to add an additional section to read as follows:

14-54-1412. Designated entertainment districts.

(a) As used in this section, "designated entertainment district" means a contiguous area located in a part of a city, a municipality, or an incorporated town that:

(1) Is zoned for or customarily used for commercial purposes;
and

(2) Contains any number and any combination of restaurants, taprooms, taverns, entertainment establishments, hospitality establishments, music venues, theaters, bars, art galleries, art studios, tourist destinations, distilleries, dance clubs, cinemas, or concert halls.

(b)(1) A city, a municipality, or an incorporated town collecting a gross receipts tax on prepared food or hotel and motel accommodations under §§ 26-75-602 – 26-75-613 and located in a county authorized to sell alcoholic beverages may by ordinance create a designated entertainment district.

(2) A designated entertainment district may be permanent or temporary.

(3)(A) A city, a municipality, or an incorporated town that creates a designated entertainment district under this section shall set by ordinance reasonable standards for the regulation of alcohol possession within the boundaries of the designated entertainment district.

(B) An ordinance enacted under this subsection does not diminish the requirements of the Alcoholic Beverage Control Division concerning permits issued within the designated entertainment district.

(4) A city, a municipality, or an incorporated town that creates a designated entertainment district under this section shall notify the division within ten (10) days of the issuance or removal of a permanent or temporary designation as a designated entertainment district.

/s/T. Garner