

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

SENATE BILL 497

By: Senator G. Leding

For An Act To Be Entitled

AN ACT TO ESTABLISH CLEAR LANGUAGE AND RULES FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO CREATE THE ARKANSAS ECONOMIC STIMULUS FOR THE WINEGROWERS IN THE STATE; TO PROMOTE THE GROWTH AND EXPANSION OF WINE TOURISM; TO ENCOURAGE NEW ENTRANTS TO THE WINE GROWING INDUSTRY IN ALL COUNTIES IN THE STATE; AND FOR OTHER PURPOSES.

Subtitle

TO ESTABLISH THE AGRITOURISM STIMULUS FOR WINEGROWERS.

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

SECTION 1. Arkansas Code § 3-5-601, concerning legislative determination and intent regarding native wines, is amended to add an additional subsection to read as follows:

(e)(1) The General Assembly is aware of the laws of other states allowing native wine cultivation and production in dry counties, with a resulting increase in revenue for those states.

(2) Appellation of origin shall not be restricted by wet or dry county designation as native wine is an agricultural commodity and a market for future Arkansas wine industry stimulus.

(3)(A) A winery permit may be issued for a premises in an area of the state in which the sale of wine has not been authorized by a local option election.

(B) A permit holder under this section may engage in any



activity authorized under the permit except that the permit holder may sell or dispense wine under this section only if the wine is:

(i) Manufactured in this state; and

(ii) At least seventy-five percent (75%) by volume fermented juice of grapes or other fruit grown in Arkansas.

SECTION 2. Arkansas Code § 3-8-301 is amended to read as follows:

3-8-301. Exceptions from act.

(a) The provisions of this act shall not apply to any manufacturer or wholesale dealer who, in good faith and in the usual course of trade, sells, by the wholesale, in quantities of not less than five gallons (5 gals.), delivered at one (1) time, not to be drunk on the premises. The provisions of this act shall not apply to dispensaries, hotels, restaurants, or clubs unless it is written in the petition, notice, and order for the election that provisions of this law and prohibition shall apply to dispensaries, hotels, restaurants, or clubs; if not so written, then licensed dispensaries, hotels, restaurants, or clubs may sell for medicinal purposes in the manner provided in this act.

(b) The provisions of § 3-8-302 et seq. shall not apply to a permit holder under § 3-5-601.