

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

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 475

By: Senator J. Bryant

For An Act To Be Entitled

AN ACT TO AMEND THE LAW REGARDING ALCOHOLIC BEVERAGES; TO CLARIFY THE VIOLATION REGARDING THE SALE OF CONTROLLED BEVERAGES BY VENDING MACHINE; TO AUTHORIZE THE SALE THROUGH A DISPENSING MACHINE UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW REGARDING ALCOHOLIC BEVERAGES; TO CLARIFY THE VIOLATION REGARDING THE SALE OF CONTROLLED BEVERAGES BY VENDING MACHINE; AND TO AUTHORIZE THE SALE THROUGH A DISPENSING MACHINE UNDER CERTAIN CIRCUMSTANCES.

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

SECTION 1. Arkansas Code § 3-4-404(15), concerning Class B permit violations related to the sale of controlled beverages by vending machine, is amended to read as follows:

(15) ~~Sale~~ Except as provided in § 3-9-242, sale of controlled beverages by vending machine.

SECTION 2. Arkansas Code Title 3, Chapter 9, Subchapter 2, is amended to add an additional section to read as follows:

3-9-242. Dispensing machine - Definition.

(a) As used in this section, "spirituous liquors" means mixed drinks or specialty drinks that are made by the permit holder at the premises.



(b) Notwithstanding the provisions of § 3-4-404(15) concerning vending machine sales, an on-premises consumption permit holder may sell controlled beverages via a dispensing machine located on the premises if:

(1) The dispensing machine is not located at a customer's booth or table;

(2) The customer activates the dispensing machine with a radio-frequency identification device supplied by:

(A) The on-premises consumption permit holder; or

(B) A clerk, servant, agent, or employee of the on-premises consumption permit holder;

(3) The radio-frequency identification device under subdivision (b)(2) of this section is attached to the customer at all times;

(4) The dispensing machine does not dispense more than the following before the radio-frequency identification device under subdivision (b)(2) of this section requires reactivation by the on-premises consumption permit holder or a clerk, servant, agent, or employee of the on-premises consumption permit holder:

(A) Thirty-two ounces (32 oz) of beer;

(B) Twelve ounces (12 oz) of wine;

(C) Ten ounces (10 oz) of spirituous liquors; or

(D) Three ounces (3 oz) of unmixed spirits;

(5) The on-premises consumption permit holder or a clerk, servant, agent, or employee of the on-premises consumption permit holder monitors the sale, service, and consumption of beer, wine, spirituous liquors, or unmixed spirits from the dispensing machine to ensure compliance with this title and the rules promulgated under this title; and

(6) An on-premises consumption permit holder or a clerk, servant, agent, or employee of the on-premises consumption permit holder that supplies a radio-frequency identification device under subdivision (b)(2) of this section or reactivates a radio-frequency identification device under subdivision (b)(4) of this section shall comply with § 3-9-236.