

1 State of Arkansas As Engrossed: H2/25/19 H2/26/19

2 92nd General Assembly

A Bill

3 Regular Session, 2019

HOUSE BILL 1385

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5 By: Representative J. Mayberry

6 By: Senator K. Hammer

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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW TO CREATE A DEFINITION OF
10 "SCHOOLHOUSE" WITH REGARD TO BUSINESSES REGULATED BY
11 THE ALCOHOLIC BEVERAGE CONTROL BOARD; AND FOR OTHER
12 PURPOSES.

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Subtitle

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

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24 SECTION 1. Arkansas Code Title 3, Chapter 2, Subchapter 1, is amended
25 to add an additional section to read as follows:

26 3-2-104. Definition of "schoolhouse".

27 (a) For all businesses regulated under this title by the Alcohol
28 Beverage Control Board that are licensed or permitted after the effective
29 date of this act, "schoolhouse" means a school or a structure at which
30 children gather on a regular schedule for educational purposes, including
31 without limitation:

32 (1) A facility owned and operated by a public or private school
33 or an open-enrollment charter school; and

34 (2) A public or private daycare facility licensed by the State
35 of Arkansas.

36 (b) "Schoolhouse" does not include a home school.



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SECTION 2. Arkansas Code § 3-4-206(a), concerning definitions regarding the operation of a retail liquor business near a church or schoolhouse, is amended to read as follows:

(a) As used in this section:

(1) ~~“church”~~ “Church” means a church and all immediately adjacent property owned or leased by the church that is used for church purposes; and

(2)(A) “Schoolhouse” means a school or structure at which children gather on a regular schedule for educational purposes, including without limitation:

(i) A facility owned and operated by a public or private school or an open-enrollment charter school; and

(ii) A public or private daycare facility licensed by the State of Arkansas.

(B) “Schoolhouse” does not include a home school.

/s/J. Mayberry