

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

HOUSE BILL 1570

5 By: Representatives Hawks, Magie
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW REGARDING MICROBREWERY-
9 RESTAURANTS; TO AUTHORIZE THE GOVERNING BODY OF A
10 COUNTY OR MUNICIPALITY IN A DRY AREA TO INITIATE THE
11 PERMITTING PROCESS FOR A MICROBREWERY-RESTAURANT
12 LICENSE; TO AMEND PORTIONS OF THE LAW RESULTING FROM
13 INITIATED ACT 1 OF 1942; AND FOR OTHER PURPOSES.
14
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Subtitle

16 AN ACT TO AMEND THE LAW REGARDING
17 MICROBREWERY-RESTAURANTS; TO AUTHORIZE
18 THE GOVERNING BODY IN A DRY AREA TO
19 INITIATE THE PERMITTING PROCESS; AND TO
20 AMEND THE LAW RESULTING FROM INITIATED
21 ACT 1 OF 1942.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code § 3-5-1204(b), concerning the issuance of a
28 microbrewery-restaurant license in a dry area, is amended to read as follows:

29 (b) The director ~~shall not~~ may issue a microbrewery-restaurant license
30 if the microbrewery-restaurant premises are in a dry area and the governing
31 body of the county or municipality has approved by ordinance the application
32 of the microbrewery-restaurant.
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34 SECTION 2. Arkansas Code § 3-5-1206 is amended to read as follows:
35 3-5-1206. Licenses – Application.

36 (a) ~~No~~ A microbrewery-restaurant license shall not be issued unless



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

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

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

12 (a) ~~It shall be~~ Except as provided in § 3-5-1204, it is unlawful for
 13 ~~any~~ a person, firm, or corporation to manufacture, sell, barter, loan, or
 14 give away intoxicating liquor in ~~any~~ a county, township, municipality, ward,
 15 or precinct in which the manufacture or sale of intoxicating liquor is ~~or~~
 16 ~~shall be~~ prohibited under the provisions of Initiated Act No. 1 of 1942, §§
 17 3-8-201 – 3-8-203 and 3-8-205 – 3-8-209.