

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

As Engrossed: H3/28/19

# A Bill

SENATE BILL 492

5 By: Senators T. Garner, Bond, B. Sample, G. Leding, L. Chesterfield, Elliott  
6 By: Representatives Barker, A. Collins, McCullough, Scott  
7

## For An Act To Be Entitled

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

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17 *TO PROMOTE HOSPITALITY AND TOURISM; TO*  
18 *ESTABLISH AREAS OF A CITY OR TOWN THAT*  
19 *HIGHLIGHT RESTAURANT, ENTERTAINMENT, AND*  
20 *HOSPITALITY OPTIONS; TO ESTABLISH*  
21 *TEMPORARY OR PERMANENT DESIGNATED*  
22 *ENTERTAINMENT DISTRICTS.*  
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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 § 3-2-206, concerning the rulemaking  
28 authority of the Alcoholic Beverage Control Division, is amended to add an  
29 additional subsection to read as follows:

30 (f) A rule promulgated under this title that prohibits a person from  
31 possessing an alcoholic beverage outside of an establishment that holds a  
32 permit for on-premises consumption and from which the alcoholic beverage was  
33 purchased does not apply within a designated entertainment district as  
34 defined in § 14-54-1412.  
35

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



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

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

4 (1) as As a part of a recognized religious ceremony or ritual; or

5 (2) Within the physical boundaries of a designated entertainment  
6 district as defined in § 14-54-1412.

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

10 14-54-1412. Designated entertainment districts.

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

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

15 and

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

20 (b)(1) A city, a municipality, or an incorporated town collecting a  
21 gross receipts tax on prepared food or hotel and motel accommodations under  
22 §§ 26-75-602 – 26-75-613 and located in a county authorized to sell alcoholic  
23 beverages may by ordinance create a designated entertainment district.

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

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

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

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

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*/s/T. Garner*

**APPROVED: 4/9/19**