

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4
5 By: Senator G. Leding
6

A Bill

SENATE BILL 497

For An Act To Be Entitled

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

Subtitle

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18 TO ESTABLISH THE AGRITOURISM STIMULUS FOR
19 WINEGROWERS.
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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 § 3-5-601, concerning legislative
25 determination and intent regarding native wines, is amended to add an
26 additional subsection to read as follows:

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

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

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

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



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

3 (i) Manufactured in this state; and

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

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

8 3-8-301. Exceptions from act.

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

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