

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Department of Finance and Administration

Department Alcoholic Beverage Control

Contact Doralee Chandler E-mail abc.admin@dfa.arkansa Phone 501-682-1105

Statutory Authority for Promulgating Rules Act 983 of 2019

Rule Title: Permits Not Issued Within Stated Distances - ABC Rule 1.33(6)

Intended Effective Date
(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other _____
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

02/13/2020

03/18/2020

05/15/2020

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Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Doralee Chandler

Doralee.chandler@dfa.arkansas.gov

06/22/2020

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Doralee Chandler

Signature

682-1105

Phone Number

abc.admin@dfa.arkansas.gov

E-mail Address

Director

Title

6/22/20

Date

FINAL RULE

Permits Not Issued Within Stated Distances – Rule 1.33(6)

- (6) ***Permits Not To Be Issued To Premises Within The Following Stated Distances From Church Or Schoolhouse.*** No permit for the sale or dispensing of alcoholic beverages shall be issued nor any existing permit transferred to any location within the following prohibited distances of any church or schoolhouse, such distances to be calculated based upon the existence of the church or school building at the time the application is accepted by the agency for processing:
- A. ***Retail Liquor Permit.*** One thousand (1000) feet to be measured from the nearest property line point of the church or school building to the nearest property line point of the building sought to be permitted.
 - B. ***Off Premises Retail Beer Permit to be Issued to Retail Liquor Store.*** One thousand (1000) feet to be measured from the nearest property line point of the church or school building to the nearest property line point of the building sought to be permitted.
 - C. ***Exception for Retail Liquor Store Outlets Which are Within One Thousand Feet of a Church or School Building on the Date of August 13, 2001. Repealed 9-16-15***

For purposes of this Rule “church” means a church and all immediately adjacent property owned or leased by the church that is used for church purposes.

For purposes of this Rule, “Schoolhouse” means a facility owned and operated by a public or private school or an open-enrollment charter school as well as a public or private daycare facility licensed by the State of Arkansas.