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About Mitchell Williams

Providing strategic counsel on a variety of sophisticated legal matters since 1954, the attorneys of Mitchell Williams bring together decades of diverse professional experience and extensive relationships to offer clients in Arkansas and across the United States the most comprehensive services and solutions possible.

As progressive leaders in the legal community, we work as advocates and partners to help companies meet the complex business needs required to succeed in today's challenging economic climate. The firm employs 85 attorneys from offices in Arkansas and Texas.

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Quarterly Arkansas Alcohol Licensing Newsletter

REMINDER: RENEWAL FEES DUE JUNE 30

Annual renewal fees for all permits issued by Alcoholic Beverage Control ("ABC") are due to on June 30th. Renewal fees that are mailed must be postmarked by June 30th. Failure to pay by the deadline will result in a late fee of one-half of the required yearly renewal fee for the permit for every sixty days it remains unpaid. Permits that are not renewed by October 28 will be terminated.

Private clubs also have to submit a file-marked copy of the nonprofit's annual report by June 30th.

NEW WITH THE ABC: GROWLER ENDORSEMENT

Current ABC regulations provide little guidance regarding the sale of growlers and growler exchange programs. ABC is in the process of developing a growler endorsement to be added to the retail beer permit. With the endorsement, grocery stores, convenience stores, and bars and restaurants with an off-premises retail beer permit will be able to sell growlers pursuant to ABC's packaging requirements. The final rule will be effective July 1, 2014.

Native breweries and microbrewery-restaurants will not have to obtain a growler endorsement, but they will have to comply with the new growler regulations.

WET INITIATIVES: EFFECT OF PASSAGE

The attorney general recently approved the wording of a constitutional amendment to do away with wet and dry counties. If the amendment passes, alcohol sales will be legal in every county in the state, and laws allowing counties to hold wet-dry votes will be repealed. There are also ongoing wet initiatives to hold votes to go wet in Faulkner, Saline, Craighead and Columbia Counties.

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Petition drives are underway to collect the necessary signatures for the county initiatives and the statewide initiative. If successful, voters will be deciding whether the counties or the entire state will go wet in November.

If one or more of the initiatives pass, ABC will oversee the process for obtaining the newly-available permits. There are also differences in how private clubs may operate in a wet county. For information regarding obtaining a retail permit in a previously dry county or of the effects of going wet on existing private clubs, contact Harry Hamlin or Melissa Bandy.

REGULATION REFRESHER

Light Wine Explained

“Light wine” is wine that has an alcohol content of less than five percent alcohol by weight. Light wine can be sold under a retail beer permit. The only wine grocery stores or convenience stores can sell is wine sold under the small farm wine permit or (if it’s under five percent alcohol by weight) the retail beer permit.

Beer Manufactured in Arkansas

Some local breweries have been under the impression that their beer could be sold under the retail beer permit, despite its alcohol content. The fact that a beer is manufactured in Arkansas does not mean that it is not subject to the same alcohol content limitations as other beer. Only beer or malt liquor containing less than five percent alcohol by weight may be sold under the retail beer permit. The sale of beer with a higher alcohol content requires a liquor permit.

Membership cards in private clubs

Under previous regulations, membership cards were required for patrons to private clubs. Membership cards are no longer required for members to private clubs.

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