AMENDMENT SUMMARY: The proposed amendment clarifies private club advertising to allowing for viewing of consumption of alcohol. This proposed Amendment is in response to Act 801 of the 2023 Regular Session of the Arkansas General Assembly.

5.55 Advertising the Availability of Alcoholic Beverages to the Public by a Private Club in a Dry Area. Private clubs in any area of the state where the sale of alcoholic beverages is prohibited by law (“dry” area) are prohibited from using the advertising media, including any signs or trade names on the exterior of the club building, to promote the consumption and use of alcoholic beverages within the club. The use of terms such as “happy hour”, or any other term or brand name that generally identifies any brand or mixture of alcoholic beverages, is included in this prohibition. This prohibition does not require a private club to block visibility through the private club’s windows or doors to prevent the general public from viewing patrons consuming alcoholic beverages, including without limitation through the use of window tinting.

No private club, located in either a “wet or dry” area of the state, may advertise or use any part of the advertising media to announce social functions of general interest to the membership, entertainment, or other similar activities within the confines of the club property, without preceding such advertisement or announcement with the words “Notice to Members” or “Attention Members” prominently displayed, and the name of the club or organization sponsoring such social activities. (Amended 8-21-13)