RESOLUTION NO. _____

A RESOLUTION TO EXPRESS THE SUPPORT OF THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS, FOR A CITIZEN-INITIATED PETITION UNDER ARK. CODE ANN. § 3-3-210(b) TO REFER TO THE VOTERS OF THE CITY THE QUESTION OF WHETHER TO AUTHORIZE THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION ON SUNDAYS; TO CLARIFY THAT THIS RESOLUTION DOES NOT CALL AN ELECTION; AND FOR OTHER PURPOSES.

WHEREAS, Ark. Code Ann. § 3-3-210(a) generally prohibits the sale of intoxicating alcoholic liquor on Sunday, except as authorized by law; and,

WHEREAS, Ark. Code Ann. § 3-3-210(b)(1)(A) provides that cities may refer to the voters at an election the question of whether to authorize the sale of alcoholic beverages for off-premises consumption on Sundays between the hours of 10:00 a.m. and 12:00 midnight, or within a lesser period within those hours as may be provided under the referendum election; and,

WHEREAS, under Ark. Code Ann. § 3-3-210(b)(1)(A)(i), a referendum election on this question may be called in a city only by a petition filed with the city clerk signed by 15% of the qualified electors who cast a vote in the city for the Office of Governor in the last general election in which that office appeared on the ballot; and,

WHEREAS, the Office of Governor appeared on the ballot at the general election held on November 3, 2026, and the number of votes cast in the City of Little Rock for the Office of Governor in that election, as certified, will therefore be the basis for calculating the number of signatures required on any petition filed under Ark. Code Ann. § 3-3-210(b) after certification; and,

WHEREAS, the Board of Directors has no authority under Ark. Code Ann. § 3-3-210(b) to place this question on the ballot on its own motion, by resolution or by ordinance, and a sufficient citizen petition is the only means by which the referendum election may be triggered; and,

WHEREAS, any authorization approved by the voters would be limited to businesses within the City that hold a current and valid license for the sale of alcoholic beverages issued by the Alcoholic Beverage Control Division, as provided in Ark. Code Ann. § 3-3-210(b)(1)(B), and would not permit wholesale distributors to sell or deliver alcoholic beverages to retailers on Sunday, as provided in Ark. Code Ann. § 3-3-210(c); and,

WHEREAS, a number of Arkansas cities, including Fayetteville, Rogers, Bentonville, and Springdale, have permitted Sunday off-premises sales following voter approval at referendum elections called by citizen petition; and,

WHEREAS, Ark. Code Ann. § 7-1-111 prohibits a public servant or governmental body from expending, or permitting the expenditure of, public funds to support or oppose a ballot measure, but does not prohibit a governmental body from expressing an opinion through the passage of a resolution; and,

WHEREAS, the Board of Directors wishes to express its support for the efforts of Little Rock residents and businesses to circulate a petition under Ark. Code Ann. § 3-3-210(b), so that the qualified electors of the City may decide this question for themselves.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS;

Section 1. Expression of Support. The Board of Directors supports the circulation of a citizen petition under Ark. Code Ann. § 3-3-210(b)(1)(A)(i), and supports giving the qualified electors of the City of Little Rock the opportunity to decide, at a referendum election, whether to authorize the sale of alcoholic beverages for off-premises consumption on Sundays within the City.

Section 2. No Election Called. This resolution does not call a referendum election, does not place any question on any ballot, and does not satisfy or substitute for the petition required by Ark. Code Ann. § 3-3-210(b)(1)(A)(i). A referendum election on this question may be called only upon the filing with the City Clerk of a petition signed by not fewer than 15% of the qualified electors who cast a vote in the City for the Office of Governor at the last general election in which that office appeared on the ballot.

Section 3. Signature Requirement. The number of signatures required shall be calculated from the certified results of the November 3, 2026, general election for the Office of Governor within the City of Little Rock. The Board of Directors requests that the City Clerk, in coordination with the Pulaski County Board of Election Commissioners, determine that number from the certified results and make it available to the public and to any petition sponsor upon request. The signature figure calculated from the 2022 general election no longer applies to any petition filed after the 2026 results are certified.

Section 4. Procedure after a Petition is Filed. If a petition is filed with the City Clerk and the City Clerk determines that it is sufficient, the City Manager shall place on the agenda of the Board of Directors an ordinance submitting the question to the qualified electors of the City. That ordinance shall provide for an election conducted on a citywide basis, in accordance with Ark. Code Ann. § 3-3-210(b)(2) and the procedures established for on-premises consumption elections by Ark. Code Ann. § 3-9-201 et seq., and for the ballot to be printed substantially in the form required by Ark. Code Ann. § 3-3-210(b)(2)(C).

Section 5. No Expenditure of Public Funds. Nothing in this resolution authorizes the expenditure of City funds, or the use of City personnel, property, or other resources, to circulate a petition, to collect

signatures, or to support or oppose the passage of any ballot measure, in violation of Ark. Code Ann. § 7-1-111. City staff may continue to provide neutral, factual information about the applicable law and process to any member of the public who asks.

Section 6. ***Severability.*** In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the resolution which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the resolution.

Section 7. ***Repealer.*** All laws, ordinances, resolutions, or parts of the same, that are inconsistent with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

ADOPTED: December 1, 2026

ATTEST:	**APPROVED:**
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Allison Segars, City Clerk	**Frank Scott, Jr., Mayor**

APPROVED AS TO LEGAL FORM:

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Thomas M. Carpenter, City Attorney

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