

1 ENGROSSED HOUSE
2 BILL NO. 1302

By: Murdock of the House

3 and

4 Bice of the Senate

5
6 [alcoholic beverages - alcoholic beverage licensing
7 - effective date]
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10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 1. AMENDATORY Section 27, Chapter 366, O.S.L.
12 2016 (37A O.S. Supp. 2016, Section 2-115), is amended to read as
13 follows:

14 Section 2-115. A. A special event license may be issued to an
15 organization, association or nonprofit corporation organized for
16 political, fraternal, charitable, religious or social purposes. The
17 holder of a special event license is authorized to sell and
18 distribute alcoholic beverage on the premises for which the license
19 is issued.

20 B. The ABLE Commission shall promulgate rules governing the
21 application for and the issuance of special event licenses.

22 C. The restrictions and rules which apply to the sale of mixed
23 beverages on the premises of a mixed beverage licensee also apply to
24 the sale of such beverages under the authority of a special event

1 license. Any act which if done on the premises of a mixed beverage
2 licensee would be a ground for revocation or suspension of the mixed
3 beverage license is a ground for revocation or suspension of a
4 special event license.

5 D. No special event license may be issued for any premises
6 already licensed by the ABLE Commission.

7 E. No special event license shall be required for an
8 organization, association or nonprofit corporation whose purpose is
9 to promote the common interest of economic development and business
10 growth within a community, provided the event is not conducted
11 primarily for fundraising purposes, and provided the services of a
12 licensed caterer are used to provide and distribute the alcoholic
13 beverages at the event.

14 SECTION 2. AMENDATORY Section 41, Chapter 366, O.S.L.
15 2016 (37A O.S. Supp. 2016, Section 2-129), is amended to read as
16 follows:

17 Section 2-129. A. A charitable auction or charitable alcoholic
18 beverage event license may be issued to a charitable organization
19 exempt from taxation under Section 501(c)(3), (4), (5), (6), (7),
20 (8), (9), (10) or (19) of the United States Internal Revenue Code.
21 The charitable alcoholic beverage event license shall authorize the
22 holder thereof to conduct a wine, spirit and/or beer event which may
23 consist of one or more of a wine, spirit and/or beer-tasting event,
24 a wine, spirit and/or beer dinner event or a wine, spirit and/or

1 beer auction, which may be either a live auction conducted by an
2 auctioneer or a silent auction for which:

3 1. Bid sheets are accepted from interested bidders at the
4 event;

5 2. The holders of tickets are allowed to bid online for a
6 period not exceeding thirty (30) days prior to the event; or

7 3. Both bid sheets are accepted at the event and online bids
8 are accepted pursuant to paragraph 2 of this subsection.

9 B. A charitable alcoholic beverage event shall be conducted
10 solely to raise funds for charitable purposes. A charitable
11 alcoholic beverage license shall allow the event attendees access to
12 tastings, samples, dinners and alcoholic beverages as parts of their
13 entrance fee or ticket price. Wine, spirits and/or beer used in,
14 served or consumed at a charitable alcoholic beverage event may be
15 purchased by the charitable organization or donated by any person or
16 entity.

17 C. The charitable alcoholic beverage event license shall be
18 issued for a period not exceeding four (4) days. Only eight such
19 licenses may be issued to an organization in any twelve-month
20 period. The charitable organization holding a charitable alcoholic
21 beverage event license shall not be required to obtain a special
22 event license.

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1 D. Charitable auction and charitable alcoholic beverage event
2 license holders may also utilize a licensed caterer to provide
3 additional alcohol services at the event and on the premises.

4 E. The charitable auction license shall authorize the holder
5 thereof to auction wine, spirits and/or beer purchased from a retail
6 package store or received as a gift from an individual if the
7 auction is conducted to raise funds for charitable purposes. The
8 charitable auction license shall be issued for a period not to
9 exceed two (2) days. Only four such licenses shall be issued to an
10 organization in any twelve-month period. The maximum amount of
11 wine, spirits and/or beer auctioned pursuant to the charitable
12 auction license shall not exceed fifty (50) gallons. All wines,
13 beer and spirits auctioned pursuant to the charitable auction
14 license shall be registered and all fees and taxes shall be paid in
15 accordance with the Oklahoma Alcoholic Beverage Control Act.

16 F. No charitable alcoholic beverage event license shall be
17 required for an organization, association or nonprofit corporation
18 whose purpose is to promote the common interest of economic
19 development and business growth within a community, provided the
20 event is not conducted primarily for fundraising purposes, and
21 provided the services of a licensed caterer are used to provide and
22 distribute the alcoholic beverages at the event.

23 SECTION 3. This act shall become effective October 1, 2018.
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1 Passed the House of Representatives the 22nd day of March, 2017.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2017.

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9 Presiding Officer of the Senate