

1 ENGROSSED HOUSE
2 BILL NO. 1608

By: Sherrer and Hoskin of the
House

3 and

4 Bass of the Senate
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8 An Act relating to intoxicating liquors; amending 37
9 O.S. 2011, Section 534, which relates to package
10 stores; limiting what is considered a beneficial
11 interest in a package store; and providing an
12 effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 37 O.S. 2011, Section 534, is
15 amended to read as follows:

16 Section 534. A. No package store license shall be issued for
17 premises unless said premises are separated from premises on which
18 any other goods, wares or merchandise are sold or services are
19 rendered by nontransparent walls which may be broken by a passageway
20 to which the public is not admitted. Provided, it shall be unlawful
21 for any person or persons to take any alcoholic beverage from such
22 store through said passageway for the purpose of selling, reselling,
23 or delivering in connection with the sale of said alcoholic
24 beverage. Such licenses shall apply only to the premises described

1 in the application. No person may own any interest in more than one
2 package store. For the purpose only of establishing whether or not
3 a person owns an interest in more than one package store, any person
4 having a beneficial interest in any package store shall be deemed to
5 be a partner in said package store except that the spouse of any
6 package store license holder or partner shall not be deemed to be a
7 partner or have a beneficial interest in a package store unless his
8 or her name appears on the license. A beneficial interest shall be
9 any interest that benefits from any sales or profits of said package
10 store, except fees for consulting or other professional services.

11 B. For purposes of this section, any spouse of a package store
12 license holder shall not hold another license provided for pursuant
13 to the Oklahoma Alcoholic Beverage Control Act, except a package
14 store license, beer and wine license, or a mixed beverage license.

15 C. Package stores licensed under the Oklahoma Alcoholic
16 Beverage Control Act may sell only alcoholic beverages in retail
17 containers as defined in Section 506 of this title, in the original
18 package for consumption off the premises. Provided, all alcoholic
19 beverages are to be sold at ordinary room temperature. All retail
20 sales shall be made on the licensed premises and all deliveries off
21 the premises, at retail, of intoxicating liquor or beer are hereby
22 prohibited.

23 SECTION 2. This act shall become effective November 1, 2015.
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1 Passed the House of Representatives the 5th day of March, 2015.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2015.

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9 Presiding Officer of the Senate