

1 **SENATE FLOOR VERSION**

2 April 10, 2023

3 ENGROSSED HOUSE
4 BILL NO. 2178

By: Lowe (Dick) of the House

5 and

6 Paxton of the Senate

7
8 An Act relating to alcoholic beverages; providing
9 that a holder of a small farm winery, winemaker, or
10 small brewer license may serve free samples and sell
11 other items; providing that wine or beer may be
12 served at off-premises locations; providing that at
13 public events the location occupied by the small farm
14 winery, winemaker, or small brewer licensee becomes a
15 licensed premises and extension of the license
16 holder; requiring a licensee to establish a serving
17 area; providing that multiple licensees may combine
18 their serving areas; providing that a small farm
19 winery, winemaker, or small brewer licensee shall not
20 be required to control a consumer leaving the
21 premises once served; providing there shall not be
22 any permit or license required by the event
23 originator, coordinator, manager, or property owner;
24 providing for codification; and providing an
effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2-162 of Title 37A, unless there
is created a duplication in numbering, reads as follows:

A holder of a small farm winery, winemaker, or small brewer
license, which serves wine or beer for on-premises or off-premises

1 consumption, with permission from the event coordinator, manager, or
2 the property owner, shall be allowed to serve free samples of, sell,
3 or serve Oklahoma-manufactured beer, wine, mulled wine, or spiced
4 wine, mixed with nonalcoholic beverages or food items, such as
5 water, sugar, fruits and vegetables, at any temperature, wine
6 produced at the winery or blended on-site at any public event,
7 including but not limited to festivals, trade shows, boat shows, RV
8 shows, home and garden shows, fairs, car shows, swap meets, sporting
9 events, city events, county events, state events, for either on-
10 premises or off-premises consumption, including any public events
11 that are held at the premises which hold a retail beer license,
12 retail spirits license, mixed beverage license, beer and wine
13 license, caterer's license, special event license, public event
14 license, winemaker license, small farm winery license, charitable
15 auction license, or brewpub license. When attending a public event,
16 the location within the event occupied by the small farm winery,
17 winemaker, or small brewer licensee becomes a licensed premises and
18 extension of the licensed small farm winery, winemaker, or small
19 brewer license. The licensee shall set up and define an area
20 contiguous to their booth space as a serving area where the wine or
21 beer is dispensed. The licensee may only serve the wine or beer in
22 the serving area. In the event that multiple winemakers or small
23 brewers are at the same public event, they may combine their serving
24 areas into one area as long as they are contiguous to the

1 winemakers' or small brewers' booths. A small farm winery,
2 winemaker, or small brewer licensee shall not be required to control
3 the consumer leaving the premises once served Oklahoma-manufactured
4 beer, wine, mulled wine, or spiced wine, mixed with nonalcoholic
5 beverages or food items, such as water, sugar, fruits and
6 vegetables, at any temperature, wine produced at the winery or
7 blended on-site at the public event. There shall not be any special
8 permit, permit, or license required by the event originator,
9 coordinator, manager, or property owner to have a small farm winery,
10 winemaker, or small brewer licensee at his or her event.

11 SECTION 2. This act shall become effective November 1, 2023.

12 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE
13 April 10, 2023 - DO PASS
14
15
16
17
18
19
20
21
22
23
24