

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2178

By: Lowe (Dick) of the House

and

Paxton of the Senate

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10 COMMITTEE SUBSTITUTE

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

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

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

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

1 contiguous to their booth space as a serving area where the wine or
2 beer is dispensed. The licensee may only serve the wine or beer in
3 the serving area. In the event that multiple winemakers or small
4 brewers are at the same public event, they may combine their serving
5 areas into one area as long as they are contiguous to the
6 winemakers' or small brewers' booths. A small farm winery,
7 winemaker, or small brewer licensee shall not be required to control
8 the consumer leaving the premises once served Oklahoma-manufactured
9 beer, wine, mulled wine, or spiced wine, mixed with nonalcoholic
10 beverages or food items, such as water, sugar, fruits and
11 vegetables, at any temperature, wine produced at the winery or
12 blended on-site at the public event. There shall not be any special
13 permit, permit, or license required by the event originator,
14 coordinator, manager, or property owner to have a small farm winery,
15 winemaker, or small brewer licensee at his or her event.

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

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18 COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO AND CONTROLLED
19 SUBSTANCES, dated 03/02/2023 - DO PASS, As Amended and Coauthored.
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