

An Act

ENROLLED HOUSE
BILL NO. 2178

By: Lowe (Dick) of the House

and

Paxton of the Senate

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

SUBJECT: Alcoholic beverages

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 consumption, with permission from the event coordinator, manager, or the property owner, shall be allowed to serve free samples of, sell, or serve Oklahoma-manufactured beer, wine, mulled wine, or spiced wine, mixed with nonalcoholic beverages or food items, such as water, sugar, fruits and vegetables, at any temperature, wine produced at the winery or blended on-site at any public event,

including but not limited to festivals, trade shows, boat shows, RV shows, home and garden shows, fairs, car shows, swap meets, sporting events, city events, county events, state events, for either on-premises or off-premises consumption, including any public events that are held at the premises which hold a retail beer license, retail spirits license, mixed beverage license, beer and wine license, caterer's license, special event license, public event license, winemaker license, small farm winery license, charitable auction license, or brewpub license. When attending a public event, the location within the event occupied by the small farm winery, winemaker, or small brewer licensee becomes a licensed premises and extension of the licensed small farm winery, winemaker, or small brewer license. The licensee shall set up and define an area contiguous to their booth space as a serving area where the wine or beer is dispensed. The licensee may only serve the wine or beer in the serving area. In the event that multiple winemakers or small brewers are at the same public event, they may combine their serving areas into one area as long as they are contiguous to the winemakers' or small brewers' booths. A small farm winery, winemaker, or small brewer licensee shall not be required to control the consumer leaving the premises once served Oklahoma-manufactured beer, wine, mulled wine, or spiced wine, mixed with nonalcoholic beverages or food items, such as water, sugar, fruits and vegetables, at any temperature, wine produced at the winery or blended on-site at the public event. There shall not be any special permit, permit, or license required by the event originator, coordinator, manager, or property owner to have a small farm winery, winemaker, or small brewer licensee at his or her event.

Passed the House of Representatives the 9th day of March, 2023.

Presiding Officer of the House
of Representatives

Passed the Senate the 25th day of April, 2024.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____