

1 ENGROSSED HOUSE  
2 BILL NO. 2325

By: McDugle, Marti and Davis of  
the House

3 and

4 Bice of the Senate  
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8 An Act relating to alcoholic beverages; amending  
9 Section 143, Chapter 366, O.S.L. 2016, as last  
10 amended by Section 2, Chapter 340, O.S.L. 2017 (37A  
11 O.S. Supp. 2018, Section 6-103), which relates to  
12 retail spirits licensees; permitting minors to  
13 accompany parents or legal guardians on premises of  
14 retail spirits licensees; and providing an effective  
15 date.

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

17 SECTION 1. AMENDATORY Section 143, Chapter 366, O.S.L.  
18 2016, as last amended by Section 2, Chapter 340, O.S.L. 2017 (37A  
19 O.S. Supp. 2018, Section 6-103), is amended to read as follows:

20 Section 6-103. A. No retail spirits licensee shall:

21 1. Purchase or receive any alcoholic beverage other than from a  
22 wine and spirits wholesaler, beer distributor, winery or small  
23 brewer self-distribution licensee who elects to self-distribute;  
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1       2. Suffer or permit any retail container to be opened, or any  
2 alcoholic beverage to be consumed on the licensed premises, unless  
3 otherwise permitted by law;

4       3. Sell any alcoholic beverages at any hour other than between  
5 the hours of 8:00 a.m. and midnight Monday through Saturday, and  
6 shall not be permitted to be open on Thanksgiving Day or Christmas  
7 Day; provided, a county may, pursuant to the provisions of  
8 subsections B and C of Section 3-124 of this title, elect to allow  
9 such sales between the hours of noon and midnight on Sunday. Retail  
10 spirits licensees shall be permitted to sell alcoholic beverages on  
11 the day of any General, Primary, Runoff Primary or Special Election  
12 whether on a national, state, county or city election, provided that  
13 the election day does not occur on any day on which such sales are  
14 otherwise prohibited by law;

15       4. Sell spirits in a city or town, unless such city or town has  
16 a population in excess of two hundred (200) according to the latest  
17 Federal Decennial Census;

18       5. Sell any alcoholic beverage on credit; provided, that  
19 acceptance by a licensee of a cash or debit card or a nationally  
20 recognized credit card in lieu of actual cash payment does not  
21 constitute the extension of credit; provided, further, as used in  
22 this section:

- 23           a. "cash or debit card" means any instrument or device  
24                whether known as a debit card or by any other name,

1 issued with or without fee by an issuer for the use of  
2 the cardholder in depositing, obtaining or  
3 transferring funds from a consumer banking electronic  
4 facility, and

5 b. "nationally recognized credit card" means any  
6 instrument or device, whether known as a credit card,  
7 credit plate, charge plate or by any other name,  
8 issued with or without fee by an issuer for the use of  
9 the cardholder in obtaining money, goods, services or  
10 anything else of value on credit which is accepted by  
11 over one hundred retail locations;

12 6. Offer or furnish any prize, premium, gift or similar  
13 inducement to a consumer in connection with the sale of alcoholic  
14 beverages, except that goods or merchandise included by the  
15 manufacturer in packaging with alcoholic beverages or for packaging  
16 with alcoholic beverages shall not be included in this prohibition,  
17 but no wholesaler or retailer shall sell any alcoholic beverage  
18 prepackaged with other goods or merchandise at a price which is  
19 greater than the price at which the alcoholic beverage alone is  
20 sold; or

21 7. Pay for alcoholic beverages by a check or draft which is  
22 dishonored by the drawee when presented to such drawee for payment;  
23 and the ABLE Commission may cancel or suspend the license of any  
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1 retailer who has given a check or draft, as maker or endorser, which  
2 is so dishonored upon presentation.

3 B. No retail spirits licensee shall permit any person under  
4 twenty-one (21) years of age to enter into or remain within or about  
5 the licensed premises unless accompanied by their parent or legal  
6 guardian.

7 SECTION 2. This act shall become effective November 1, 2019.

8 Passed the House of Representatives the 20th day of February,  
9 2019.

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12 Presiding Officer of the House  
of Representatives

13 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2019.

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16 Presiding Officer of the Senate