

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2665

By: Echols

COMMITTEE SUBSTITUTE

An Act relating to alcoholic beverages; amending Section 13, Chapter 366, O.S.L. 2016, as last amended by Section 9, Chapter 161, O.S.L. 2020 (37A O.S. Supp. 2020, Section 2-101), which relates to fees; modifying name of certain license; adding certain license information; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 13, Chapter 366, O.S.L. 2016, as last amended by Section 9, Chapter 161, O.S.L. 2020 (37A O.S. Supp. 2020, Section 2-101), is amended to read as follows:

Section 2-101. A. Except as otherwise provided in this section, the licenses issued by the ABLE Commission, and the annual fees therefor, shall be as follows:

- 1. Brewer License..... \$1,250.00
- 2. Small Brewer License..... \$125.00
- 3. Distiller License..... \$3,125.00
- 4. Winemaker License..... \$625.00

1	5.	Small Farm Winery License.....	\$75.00
2	6.	Rectifier License.....	\$3,125.00
3	7.	Wine and Spirits Wholesaler License.....	\$3,000.00
4	8.	Beer Distributor License.....	\$750.00
5	9.	The following retail spirits license fees	
6		shall be determined by the latest Federal	
7		Decennial Census:	
8	a.	Retail Spirits License for cities and	
9		towns from 200 to 2,500 population.....	\$305.00
10	b.	Retail Spirits License for cities and	
11		towns from 2,501 to 5,000 population.....	\$605.00
12	c.	Retail Spirits License for cities and	
13		towns over 5,000 population.....	\$905.00
14	10.	Retail Wine License.....	\$1,000.00
15	11.	Retail Beer License.....	\$500.00
16	12.	Mixed Beverage License.....	\$1,005.00
17		(initial license)	
18			\$905.00
19		(renewal)	
20	13.	Mixed Beverage/Caterer Combination License.....	\$1,250.00
21	14.	On-Premises Beer and Wine License.....	\$500.00
22		(initial license)	
23			\$450.00
24		(renewal)	

1	15.	Bottle Club License.....	\$1,000.00
2			(initial license)
3			\$900.00
4			(renewal)
5	16.	Caterer License.....	\$1,005.00
6			(initial license)
7			\$905.00
8			(renewal)
9	17.	Annual Special Event License.....	\$55.00
10	18.	Quarterly Special Event License.....	\$55.00
11	19.	Hotel Beverage License.....	\$1,005.00
12			(initial license)
13			\$905.00
14			(renewal)
15	20.	Airline/Railroad/Commercial Passenger Vessel Beverage	
16		License.....	\$1,005.00
17			(initial license)
18			\$905.00
19			(renewal)
20	21.	Agent License.....	\$55.00
21	22.	Employee License.....	\$30.00
22	23.	Industrial License.....	\$23.00
23	24.	Carrier License.....	\$23.00
24	25.	Private Carrier License.....	\$23.00

1	26.	Bonded Warehouse License.....	\$190.00
2	27.	Storage License.....	\$23.00
3	28.	Nonresident Seller License or Manufacturer's	
4		License	\$750.00
5	29.	<u>Manufacturer License:</u>	
6	a.	<u>50 cases or less sold in Oklahoma in</u>	
7		<u>last calendar year</u>	<u>\$50.00</u>
8	b.	<u>51 to 500 cases sold in Oklahoma in</u>	
9		<u>last calendar year</u>	<u>\$75.00</u>
10	c.	<u>501 cases or more sold in Oklahoma in</u>	
11		<u>last calendar year</u>	<u>\$150.00</u>
12	<u>30.</u>	Manufacturer's Agent License.....	\$55.00
13	30. <u>31.</u>	Sacramental Wine Supplier License.....	\$100.00
14	31. <u>32.</u>	Charitable Auction License.....	\$1.00
15	32. <u>33.</u>	Charitable Alcoholic Beverage License.....	\$55.00
16	33. <u>34.</u>	Winemaker Self-Distribution License.....	\$750.00
17	34. <u>35.</u>	Annual Public Event License.....	\$1,005.00
18	35. <u>36.</u>	One-Time Public Event License.....	\$255.00
19	36. <u>37.</u>	Small Brewer Self-Distribution License.....	\$750.00
20	37. <u>38.</u>	Brewpub License.....	\$1,005.00
21	38. <u>39.</u>	Brewpub Self-Distribution License.....	\$750.00
22	39. <u>40.</u>	Complimentary Beverage License.....	\$75.00
23	40. <u>41.</u>	Satellite Tasting Room License.....	\$100.00
24			

1 B. 1. There shall be added to the initial or renewal fees for
2 a Mixed Beverage License an administrative fee, which shall not be
3 deemed to be a license fee, in the amount of Five Hundred Dollars
4 (\$500.00), which shall be paid at the same time and in the same
5 manner as the license fees prescribed by paragraph 12 of subsection
6 A of this section; provided, this fee shall not be assessed against
7 service organizations or fraternal beneficiary societies which are
8 exempt under Section 501(c)(19), (8) or (10) of the Internal Revenue
9 Code.

10 2. There shall be added to the fee for a Mixed Beverage/Caterer
11 Combination License an administrative fee, which shall not be deemed
12 to be a license fee, in the amount of Two Hundred Fifty Dollars
13 (\$250.00), which shall be paid at the same time and in the same
14 manner as the license fee prescribed by paragraph 13 of subsection A
15 of this section.

16 C. Notwithstanding the provisions of subsection A of this
17 section:

18 1. The license fee for a mixed beverage or bottle club license
19 for those service organizations or fraternal beneficiary societies
20 which are exempt under Section 501(c)(19), (8) or (10) of the
21 Internal Revenue Code shall be Five Hundred Dollars (\$500.00) per
22 year; and
23
24

1 2. The renewal fee for an airline/railroad/commercial passenger
2 vessel beverage license held by a railroad described in 49 U.S.C.,
3 Section 24301, shall be One Hundred Dollars (\$100.00).

4 D. An applicant may apply for and receive both an on-premises
5 beer and wine license and a caterer license.

6 E. All licenses, except as otherwise provided, shall be valid
7 for one (1) year from date of issuance unless revoked or
8 surrendered. Provided, all employee licenses shall be valid for two
9 (2) years.

10 F. The holder of a license, issued by the ABLE Commission, for
11 a bottle club located in a county of this state where the sale of
12 alcoholic beverages by the individual drink for on-premises
13 consumption has been authorized, may exchange the bottle club
14 license for a mixed beverage license or an on-premises beer and wine
15 license and operate the licensed premises as a mixed beverage
16 establishment or an on-premises beer and wine establishment subject
17 to the provisions of the Oklahoma Alcoholic Beverage Control Act.
18 There shall be no additional fee for such exchange and the mixed
19 beverage license or on-premises beer and wine license issued shall
20 expire one (1) year from the date of issuance of the original bottle
21 club license.

22 G. In addition to the applicable licensing fee, the following
23 surcharge shall be assessed annually on the following licenses:

24 1. Nonresident Seller ~~or Manufacturer~~ License..... \$2,500.00

1	2.	<u>Manufacturer License:</u>	
2		a.	<u>50 cases or less sold in Oklahoma in</u>
3			<u>last calendar year</u> <u>\$100.00</u>
4		b.	<u>51 to 500 cases sold in Oklahoma in</u>
5			<u>last calendar year</u> <u>\$225.00</u>
6		c.	<u>501 cases or more sold in Oklahoma in</u>
7			<u>last calendar year</u> <u>\$450.00</u>
8	<u>3.</u>	Wine and Spirits Wholesaler License.....	\$2,500.00
9	3. <u>4.</u>	Beer Distributor.....	\$1,000.00
10	4. <u>5.</u>	Retail Spirits License for cities and	
11		towns over 5,000 population.....	\$250.00
12	5. <u>6.</u>	Retail Spirits License for cities and	
13		towns from 2,501 to 5,000 population.....	\$200.00
14	6. <u>7.</u>	Retail Spirits License for cities and	
15		towns from 200 to 2,500 population.....	\$150.00
16	7. <u>8.</u>	Retail Wine License.....	\$250.00
17	8. <u>9.</u>	Retail Beer License.....	\$250.00
18	9. <u>10.</u>	Mixed Beverage License.....	\$25.00
19	10. <u>11.</u>	Mixed Beverage/Caterer Combination	
20		License.....	\$25.00
21	11. <u>12.</u>	Caterer License.....	\$25.00
22	12. <u>13.</u>	On-Premises Beer and Wine License.....	\$25.00
23	13. <u>14.</u>	Annual Public Event License.....	\$25.00
24	14. <u>15.</u>	Small Farm Winery License.....	\$25.00

1 ~~15.~~ 16. Small Brewer License..... \$35.00

2 ~~16.~~ 17. Complimentary Beverage License..... \$25.00

3 The surcharge shall be paid concurrent with the licensee's
4 annual licensing fee and, in addition to Five Dollars (\$5.00) of the
5 employee license fee, shall be deposited in the Alcoholic Beverage
6 Governance Revolving Fund established pursuant to Section 5-128 of
7 this title.

8 H. Any license issued by the ABLE Commission under this title
9 may be relied upon by other licensees as a valid license, and no
10 other licensee shall have any obligation to independently determine
11 the validity of such license or be held liable solely as a
12 consequence of another licensee's failure to maintain a valid
13 license.

14 SECTION 2. This act shall become effective July 1, 2021.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

19
20 58-1-7606 JL 02/18/21
21
22
23
24