

1                               **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2   STATE OF OKLAHOMA

3                           2nd Session of the 58th Legislature (2022)

4   HOUSE BILL 4053

By: Marti of the House

5   and

6   **Coleman** of the Senate

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9   AS INTRODUCED

10           An Act relating to alcoholic beverages; amending 37a  
11   O.S. 2021, Section 3-116.2, which relates to posting  
12   requirements for wine and spirit wholesalers and beer  
13   distributors; removing posting requirements for beer  
14   distributors; and providing an effective date.

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

16           SECTION 1.       AMENDATORY       37a O.S. 2021, Section 3-116.2, is  
17   amended to read as follows:

18           Section 3-116.2   A.   In the event a manufacturer has designated  
19   a wine and spirits wholesaler ~~or a brewer has designated a beer~~  
20   ~~distributor pursuant to subsection B of Section 3-116 of this title~~  
21   to sell its product in the state, the wine and spirits wholesaler  
22   shall comply with the following posting requirements:   The wine and  
23   spirits wholesaler ~~or beer distributor appointed pursuant to~~  
24   ~~subsection B of Section 3-116 of this title~~ shall submit its line-

1 item price posting for that product no later than the fifteenth day  
2 of each month. If the fifteenth day of the month falls on a  
3 Saturday, Sunday or a holiday then the wine and spirits wholesaler  
4 shall submit its price posting on the next business day. The price  
5 posting submitted by the wine and spirits wholesaler shall list the  
6 line-item price, handling cost, transportation cost and any other  
7 costs that may be associated with the sale or delivery of that item.  
8 All prices shall become effective on the first business day of the  
9 month following posting and shall remain in effect and unchanged in  
10 one-month increments. No change or modification of the posted price  
11 shall be permitted except upon written permission from the ABLE  
12 Commission based on good cause shown.

13 B. This section shall not apply ~~unless a product has been~~  
14 ~~designated by a manufacturer for distribution by a single wine and~~  
15 ~~spirits wholesaler in the state or by a brewer for distribution by a~~  
16 ~~beer distributor pursuant to subsection B of Section 3-116 of this~~  
17 title to a beer distributor or its commonly-owned affiliate that has  
18 been designated by a brewer pursuant to subsection B of Section 3-  
19 116 of this title, who shall not be required to post its prices.

20 SECTION 2. This act shall become effective November 1, 2022.

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22 COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO AND CONTROLLED  
23 SUBSTANCES, dated 03/03/2022 - DO PASS, As Coauthored.

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