

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1336

By: Bice

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5  
6 AS INTRODUCED

7 An Act relating to alcoholic beverages; amending  
8 Sections 95 and 98, Chapter 366, O.S.L. 2016 (37A  
9 O.S. Supp. 2017, Sections 3-125 and 4-101), which  
10 relate to the Alcoholic Beverage Control Act;  
11 modifying hours during which certain alcoholic  
12 beverages may be sold, dispensed, served or consumed;  
13 allowing municipalities to enact ordinances relating  
14 to hours of operation of certain premises; and  
15 providing an effective date.

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

18 SECTION 1. AMENDATORY Section 95, Chapter 366, O.S.L.  
19 2016 (37A O.S. Supp. 2017, Section 3-125), is amended to read as  
20 follows:

21 Section 3-125. A. No alcoholic beverages may be sold,  
22 dispensed, served or consumed on the premises of a mixed beverage,  
23 caterer, public event, charitable event, special event, on-premises  
24 beer and wine, small brewer or brewpub licensee between the hours of  
2:00 a.m. and ~~10:00 a.m.~~ 8:00 a.m. Municipalities may enact  
ordinances requiring such premises to be closed to the public  
between the hours of 2:00 a.m. and 6:00 a.m.

1 B. Counties that elect to authorize sales of alcoholic  
2 beverages by the individual drink may designate any or all of the  
3 following days as days or portions thereof on which the sales of  
4 alcoholic beverages are not authorized:

- 5 1. On the first day of the week, commonly called Sunday; and
- 6 2. On Decoration or Memorial Day, Independence Day, Labor Day,  
7 Thanksgiving Day and Christmas Day.

8 C. Counties that elect to authorize sales of alcoholic  
9 beverages by the individual drink shall not prohibit such sales on  
10 the day of any national, state, county or city election, including  
11 primary elections, provided that the election day does not occur on  
12 any day on which such sales may otherwise be prohibited by any other  
13 law.

14 SECTION 2. AMENDATORY Section 98, Chapter 366, O.S.L.  
15 2016 (37A O.S. Supp. 2017, Section 4-101), is amended to read as  
16 follows:

17 Section 4-101. A. Municipalities are authorized to enact  
18 ordinances consistent with the provisions of the Oklahoma Alcoholic  
19 Beverage Control Act. In municipalities with populations of thirty-  
20 five thousand (35,000) or more according to the most recent federal  
21 decennial census, these ordinances may provide for maximum penalties  
22 of fines not to exceed One Thousand Dollars (\$1,000.00) plus court  
23 costs, an imprisonment not to exceed ninety (90) days, or both such  
24 fine and imprisonment.

1 B. All municipalities of this state may enact ordinances  
2 prohibiting or regulating nudity or drink solicitation in  
3 establishments licensed pursuant to the provisions of the Oklahoma  
4 Alcoholic Beverage Control Act.

5 C. The provisions of this section shall not authorize any  
6 municipality to regulate by ordinance or issue any licenses for  
7 activities for which a license is required to be issued pursuant to  
8 the provisions of the Oklahoma Alcoholic Beverage Control Act.

9 D. Municipalities are authorized to enact ordinances regulating  
10 the closing time of ABLE Commission licensees who provide alcoholic  
11 beverages for consumption on the premises; provided, no ordinance  
12 shall be enacted for premises to open later than 6:00 a.m. or close  
13 earlier than 2:00 a.m.

14 SECTION 3. This act shall become effective October 1, 2018.

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