

1 **SENATE FLOOR VERSION**

2 February 8, 2018

3 SENATE BILL NO. 1336

By: Bice

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

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

16 SECTION 1. AMENDATORY Section 95, Chapter 366, O.S.L.
17 2016 (37A O.S. Supp. 2017, Section 3-125), is amended to read as
18 follows:

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

15 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
16 February 8, 2018 - DO PASS
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