1 HOUSE OF REPRESENTATIVES - FLOOR VERSION 2 STATE OF OKLAHOMA 3 2nd Session of the 56th Legislature (2018) 4 ENGROSSED SENATE BILL NO. 1336 By: Bice and Pittman of the 5 Senate 6 and 7 McEntire of the House 8 9 An Act relating to alcoholic beverages; amending Sections 95 and 98, Chapter 366, O.S.L. 2016 (37A 10 O.S. Supp. 2017, Sections 3-125 and 4-101), which 11 relate to the Alcoholic Beverage Control Act; modifying hours during which certain alcoholic 12 beverages may be sold, dispensed, served or consumed; allowing municipalities to enact ordinances relating to hours of operation of certain premises; and 13 providing an effective date. 14 15 16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA: 17 SECTION 1. AMENDATORY Section 95, Chapter 366, O.S.L. 18 2016 (37A O.S. Supp. 2017, Section 3-125), is amended to read as 19 follows: 20 Section 3-125. A. No alcoholic beverages may be sold, 21 dispensed, served or consumed on the premises of a mixed beverage, 22 caterer, public event, charitable event, special event, on-premises 23 beer and wine, small brewer or brewpub licensee between the hours of 24

- 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.
 - B. Counties that elect to authorize sales of alcoholic beverages by the individual drink may designate any or all of the following days as days or portions thereof on which the sales of alcoholic beverages are not authorized:
 - 1. On the first day of the week, commonly called Sunday; and
 - 2. On Decoration or Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
 - C. Counties that elect to authorize sales of alcoholic beverages by the individual drink shall not prohibit such sales on the day of any national, state, county or city election, including primary elections, provided that the election day does not occur on any day on which such sales may otherwise be prohibited by any other law.
- 17 SECTION 2. AMENDATORY Section 98, Chapter 366, O.S.L.
 18 2016 (37A O.S. Supp. 2017, Section 4-101), is amended to read as
 19 follows:
- Section 4-101. A. Municipalities are authorized to enact
 ordinances consistent with the provisions of the Oklahoma Alcoholic
 Beverage Control Act. In municipalities with populations of thirtyfive thousand (35,000) or more according to the most recent federal
 decennial census, these ordinances may provide for maximum penalties

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of fines not to exceed One Thousand Dollars (\$1,000.00) plus court
costs, an imprisonment not to exceed ninety (90) days, or both such
fine and imprisonment.
B. All municipalities of this state may enact ordinances

- prohibiting or regulating nudity or drink solicitation in establishments licensed pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act.
- C. The provisions of this section shall not authorize any municipality to regulate by ordinance or issue any licenses for activities for which a license is required to be issued pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act.
- D. Municipalities are authorized to enact ordinances regulating the closing time of ABLE Commission licensees who provide alcoholic beverages for consumption on the premises; provided, no ordinance shall be enacted for premises to open later than 6:00 a.m. or close earlier than 2:00 a.m.
- SECTION 3. This act shall become effective October 1, 2018.
- 19 COMMITTEE REPORT BY: COMMITTEE ON BANKING AND BUSINESS, dated 04/04/2018 DO PASS, As Coauthored.