

# An Act

ENROLLED SENATE  
BILL NO. 1337

By: Bice of the Senate

and

McEntire of the House

An Act relating to alcoholic beverages; amending Section 15, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2017, Section 2-103), which relates to distillers' licenses; modifying acts authorized by license; updating references; and providing an effective date.

SUBJECT: Distiller licenses

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

SECTION 1. AMENDATORY Section 15, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2017, Section 2-103), is amended to read as follows:

Section 2-103. A distiller license shall authorize the holder thereof:

1. To manufacture, bottle, package and store spirits on licensed premises;

2. To sell spirits in this state to licensed wholesalers and manufacturers only;

3. To sell spirits out of this state to qualified persons; to purchase from licensed distillers and rectifiers in this state, and import spirits from without this state for manufacturing purposes in accordance with federal laws and regulations; ~~and~~

4. To serve free samples of spirits produced only by the licensee to visitors twenty-one (21) years of age and older. For purposes of this section, no visitor may sample more than a total of three (3) fluid ounces of spirits per day. The distiller shall restrict the distribution and consumption of spirits samples to an area within the licensed premises designated by the distiller. A current floor plan that includes the designated sampling area shall be on file with the ABLE Commission. No visitor under twenty-one (21) years of age shall be permitted to enter the designated sampling area when samples are being distributed and consumed. Samples of spirits served by a distiller under this section shall not be considered a sale of spirits within the meaning of Article XXVIII A of the Oklahoma Constitution or Section ~~3~~ 1-103 of this ~~act~~ title; provided, such samples of spirits shall be considered removed or withdrawn from the distillery for use or consumption within the meaning of Section ~~113~~ 5-110 of this ~~act~~ title for excise tax determination and reporting requirements; and

5. To sell spirits produced by the licensee for either on-premises or off-premises consumption to consumers on the distillery premises, or on premises located contiguous thereto; and

6. To sell spirits at public events such as trade shows or festivals.

SECTION 2. This act shall become effective October 1, 2018.

Passed the Senate the 8th day of March, 2018.

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 26th day of April, 2018.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_