

An Act

ENROLLED SENATE
BILL NO. 174

By: Bice of the Senate

and

Mulready of the House

An Act relating to alcoholic beverages; amending Section 68, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2016, Section 2-156), which relates to package stores; allowing spouse of retail spirits license holder to have certain interest; modifying licenses which spouse may hold; and providing an effective date.

SUBJECT: Alcoholic beverage license procedure

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

SECTION 1. AMENDATORY Section 68, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2016, Section 2-156), is amended to read as follows:

Section 2-156. A. No retail spirits license shall be issued to a corporation, limited liability company or similar business entity. No person may own any interest in more than two package stores; provided, a spouse of a retail spirits license holder may hold a separate interest in up to two (2) package stores. For the purpose only of establishing whether or not a person owns an interest in more than one package store, any person having a beneficial interest in any package store shall be deemed to be a partner in the package store except that the spouse of any retail spirits license holder or partner shall not be deemed to be a partner or have a beneficial interest in a package store unless his or her name appears on the license. A beneficial interest shall be any interest that benefits from any sales or profits of the package store.

B. For purposes of this section, any spouse of a retail spirits license holder shall not hold another license provided for pursuant to the Oklahoma Alcoholic Beverage Control Act, except a retail wine license, retail beer license, on-premises beer and wine license, mixed beverage license ~~or~~, a caterer's license or a retail spirits license.

C. Package stores licensed under the Oklahoma Alcoholic Beverage Control Act may sell only alcoholic beverages in retail containers as defined in Section ~~3~~ 1-103 of this ~~act~~ title, in the original package for consumption off the premises. All retail sales shall be made on the licensed premises and all deliveries off the premises, at retail, of intoxicating liquor or beer are hereby prohibited. Provided, a holder of a Retail Spirits License shall be permitted to sell at retail any item that may be purchased at a grocery store or convenience store, as defined by law, except for motor fuel, so long as the sale of items other than alcoholic beverages do not comprise more than twenty percent (20%) of the holder's monthly sales.

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

Passed the Senate the 21st day of March, 2017.

Presiding Officer of the Senate

Passed the House of Representatives the 17th day of April, 2017.

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: _____