

1 ENGROSSED SENATE
BILL NO. 174

By: Bice of the Senate

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3 and

4 Mulready of the House
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6 An Act relating to alcoholic beverages; amending
7 Section 68, Chapter 366, O.S.L. 2016 (37A O.S. Supp.
8 2016, Section 2-156), which relates to package
9 stores; allowing spouse of retail spirits license
holder to have certain interest; modifying licenses
which spouse may hold; and providing an effective
date.
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY Section 68, Chapter 366, O.S.L.
13 2016 (37A O.S. Supp. 2016, Section 2-156), is amended to read as
14 follows:

15 Section 2-156. A. No retail spirits license shall be issued to
16 a corporation, limited liability company or similar business entity.
17 No person may own any interest in more than two package stores;
18 provided, a spouse of a retail spirits license holder may hold a
19 separate interest in up to two (2) package stores. For the purpose
20 only of establishing whether or not a person owns an interest in
21 more than one package store, any person having a beneficial interest
22 in any package store shall be deemed to be a partner in the package
23 store except that the spouse of any retail spirits license holder or
24 partner shall not be deemed to be a partner or have a beneficial

1 interest in a package store unless his or her name appears on the
2 license. A beneficial interest shall be any interest that benefits
3 from any sales or profits of the package store.

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

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

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