

1 **SENATE FLOOR VERSION**

2 February 23, 2017

3 **AS AMENDED**

4 SENATE BILL NO. 297

5 By: Bice

6  
7 **[ alcoholic beverages - small farm winery licenses -**  
8 **effective date ]**  
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10  
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY Section 43, Chapter 366, O.S.L.  
13 2016 (37A O.S. Supp. 2016, Section 2-131), is amended to read as  
14 follows:

15 Section 2-131. A. A small farm winery license shall authorize  
16 the holder thereof:

17 1. To manufacture and bottle wines produced by that small farm  
18 winery; ~~and~~

19 2. To bottle and sell wines produced by another small farm  
20 winery. In order for a small farm winery to bottle and sell another  
21 small farm winery's products, both the selling winery and the buying  
22 winery shall be small farm winery permit holders;

23 3. To serve free samples of wine produced by the licensee to  
24 visitors twenty-one (21) years of age or older;

1       4. To sell wines produced by that small farm winery for either  
2 on-premises or off-premises consumption to consumers on the small  
3 farm winery premises, or premises located contiguous thereto; and

4       5. To sell wine at public events such as trade shows or  
5 festivals.

6       B. A small farm wine may display the trademarked "Oklahoma  
7 Grown" sticker available from the Oklahoma Grape Industry Council.

8       C. For purposes of subsection A of this section, no visitor may  
9 sample more than a total of six (6) fluid ounces of wine per day.

10 The small farm winery shall restrict the distribution and  
11 consumption of wine samples to an area within the licensed premises  
12 designated by the small farm winery. A current floor plan that  
13 includes the designated sampling area must be on file with the ABLE  
14 Commission. No visitor under twenty-one (21) years of age shall be  
15 permitted to enter this designated sampling area when samples are  
16 being distributed or consumed. Samples of wine served by a small  
17 farm winery under this section shall not be considered a sale of  
18 wine within the meaning of Article XXVIII A of the Oklahoma  
19 Constitution or Section 1-103 of this title; however, such samples  
20 of wine shall be considered wine removed or withdrawn from the small  
21 farm winery for use or consumption for excise tax determination and  
22 reporting requirements.

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

2 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM  
3 February 23, 2017 - DO PASS AS AMENDED  
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