

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 315

By: Coleman

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5  
6 AS INTRODUCED

7 An Act relating to alcoholic beverages; amending  
8 Section 15, Chapter 366, O.S.L. 2016 (37A O.S. Supp.  
9 2020, Section 2-103), which relates to distiller  
licenses; modifying authority of holders of distiller  
licenses; and providing an effective date.

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

13 SECTION 1. AMENDATORY Section 15, Chapter 366, O.S.L.  
14 2016 (37A O.S. Supp. 2020, Section 2-103), is amended to read as  
15 follows:

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

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

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

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

3 4. To serve free samples of spirits produced only by the  
4 licensee to visitors twenty-one (21) years of age and older. For  
5 purposes of this section, no visitor may sample more than a total of  
6 three (3) fluid ounces of spirits per day. The distiller shall  
7 restrict the distribution and consumption of spirits samples to an  
8 area within the licensed premises designated by the distiller. A  
9 current floor plan that includes the designated sampling area shall  
10 be on file with the ABLE Commission. No visitor under twenty-one  
11 (21) years of age shall be permitted to enter the designated  
12 sampling area when samples are being distributed and consumed.  
13 Samples of spirits served by a distiller under this section shall  
14 not be considered a sale of spirits within the meaning of Article  
15 ~~XXVIII~~ XXVIII-A of the Oklahoma Constitution or Section ~~3~~ 1-103 of  
16 this ~~act~~ title; provided, such samples of spirits shall be  
17 considered removed or withdrawn from the distillery for use or  
18 consumption within the meaning of Section ~~413~~ 5-110 of this ~~act~~  
19 title for excise tax determination and reporting requirements; and

20 5. To sell spirits produced by the licensee for either on-  
21 premises or off-premises consumption to consumers on the licensed  
22 distillery premises or in an area controlled by the licensee located  
23 contiguous to the licensed distillery premises. Such sales shall  
24 incur a fee to be paid by the licensee to the wholesaler in an

1 amount negotiated between the licensee and the wholesaler and shall  
2 be considered a sale through the wholesaler.

3 SECTION 2. This act shall become effective November 1, 2021.  
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