

1 **SENATE FLOOR VERSION**

2 February 14, 2019

3 SENATE BILL NO. 816

By: Bice

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6 An Act relating to alcoholic beverage licenses;  
7 amending Section 33, Chapter 366, O.S.L. 2016, as  
8 amended by Section 1, Chapter 314, O.S.L. 2018 (37A  
9 O.S. Supp. 2018, Section 2-121), which relates to  
employee licenses; providing notice of denial to  
employer and applicant; providing an effective date;  
and declaring an emergency.

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

13 SECTION 1. AMENDATORY Section 33, Chapter 366, O.S.L.  
14 2016, as amended by Section 1, Chapter 314, O.S.L. 2018 (37A O.S.  
15 Supp. 2018, Section 2-121), is amended to read as follows:

16 Section 2-121. A. An employee license shall authorize the  
17 holder thereof to work in a licensed package store, retail spirits,  
18 retail wine or retail beer establishment, brewpub, mixed beverage  
19 establishment, beer and wine establishment, bottle club, public  
20 event or any establishment where alcohol or alcoholic beverages are  
21 sold, mixed or served. Persons employed by a mixed beverage, on-  
22 premises beer and wine, retail wine, retail beer, public event or a  
23 bottle club licensee who do not participate in the service, mixing  
24 or sale of mixed beverages shall not be required to have an employee

1 license. Provided, however, that a manager employed by a mixed  
2 beverage licensee, public event licensee or a bottle club shall be  
3 required to have an employee license whether or not the manager  
4 participates in the service, mixing or sale of mixed beverages.  
5 Applicants for an employee license must be at least eighteen (18)  
6 years of age and have a health card issued by the county in which  
7 they are employed, if the county issues such a card; provided, the  
8 provisions of this section shall not be construed to permit any  
9 person under twenty-one (21) years of age to be employed to sell  
10 spirits. Employees of a special event, caterer, unless catering a  
11 mixed beverage-licensed premise or airline/railroad beverage  
12 licensees shall not be required to obtain an employee license.  
13 Persons employed by a hotel licensee who participate in the stocking  
14 of hotel room mini-bars or in the handling of alcoholic beverages to  
15 be placed in such devices shall be required to have an employee  
16 license. As a prerequisite to the issuance of an employee license,  
17 not later than fourteen (14) days after initial licensure, the  
18 first-time applicant shall be required to have successfully  
19 completed a training program conducted by the ABLE Commission, or by  
20 another entity approved by the ABLE Commission, including an in-  
21 house training program conducted by the employer. Proof of training  
22 completion shall be made available for inspection by the ABLE  
23 Commission at the business location employing the licensee. The

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1 failure of an employee licensee to comply with this section may  
2 constitute a revocable offense.

3 B. In the event the ABLE Commission denies an application for  
4 an employee license, the Commission shall provide written notice to  
5 the applicant's employer, if any. The notice shall be given at the  
6 time notice is provided to the applicant.

7 SECTION 2. This act shall become effective July 1, 2019.

8 SECTION 3. It being immediately necessary for the preservation  
9 of the public peace, health or safety, an emergency is hereby  
10 declared to exist, by reason whereof this act shall take effect and  
11 be in full force from and after its passage and approval.

12 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM  
13 February 14, 2019 - DO PASS

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