

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 ENGROSSED SENATE
5 BILL NO. 816

By: Bice of the Senate

and

McEntire of the House

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

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

17 SECTION 1. AMENDATORY Section 33, Chapter 366, O.S.L.
18 2016, as amended by Section 1, Chapter 314, O.S.L. 2018 (37A O.S.
19 Supp. 2018, Section 2-121), is amended to read as follows:

20 Section 2-121. A. An employee license shall authorize the
21 holder thereof to work in a licensed package store, retail spirits,
22 retail wine or retail beer establishment, brewpub, mixed beverage
23 establishment, beer and wine establishment, bottle club, public
24 event or any establishment where alcohol or alcoholic beverages are
 sold, mixed or served. Persons employed by a mixed beverage, on-

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

1 completion shall be made available for inspection by the ABLE
2 Commission at the business location employing the licensee. The
3 failure of an employee licensee to comply with this section may
4 constitute a revocable offense.

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

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

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

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15 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE, dated
16 04/10/2019 - DO PASS.

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