

An Act

ENROLLED SENATE
BILL NO. 816

By: Bice of the Senate

and

McEntire of the House

An Act relating to alcoholic beverage licenses; amending Section 33, Chapter 366, O.S.L. 2016, as amended by Section 1, Chapter 314, O.S.L. 2018 (37A 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.

SUBJECT: Alcoholic beverage licenses

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

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

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

participates in the service, mixing or sale of mixed beverages. Applicants for an employee license must be at least eighteen (18) years of age and have a health card issued by the county in which they are employed, if the county issues such a card; provided, the provisions of this section shall not be construed to permit any person under twenty-one (21) years of age to be employed to sell spirits. Employees of a special event, caterer, unless catering a mixed beverage-licensed premise or airline/railroad beverage licensees shall not be required to obtain an employee license. Persons employed by a hotel licensee who participate in the stocking of hotel room mini-bars or in the handling of alcoholic beverages to be placed in such devices shall be required to have an employee license. As a prerequisite to the issuance of an employee license, not later than fourteen (14) days after initial licensure, the first-time applicant shall be required to have successfully completed a training program conducted by the ABLE Commission, or by another entity approved by the ABLE Commission, including an in-house training program conducted by the employer. Proof of training completion shall be made available for inspection by the ABLE Commission at the business location employing the licensee. The failure of an employee licensee to comply with this section may constitute a revocable offense.

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

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

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

Passed the Senate the 5th day of March, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of April, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____