

1 ENGROSSED SENATE
2 BILL NO. 908

By: Bice of the Senate

3 and

4 McEntire of the House

5
6 [alcoholic beverages - fees - nonresident seller -
7 manufacturer's license - designating and
8 nondesignating licenses - effective date]
9

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

11 SECTION 1. AMENDATORY Section 13, Chapter 366, O.S.L.
12 2016, as last amended by Section 2, Chapter 312, O.S.L. 2018 (37A
13 O.S. Supp. 2018, Section 2-101), is amended to read as follows:

14 Section 2-101. A. Except as otherwise provided in this
15 section, the licenses issued by the ABLE Commission, and the annual
16 fees therefor, shall be as follows:

- 17 1. Brewer License..... \$1,250.00
18 2. Small Brewer License..... \$125.00
19 3. Distiller License..... \$3,125.00
20 4. Winemaker License..... \$625.00
21 5. Small Farm Winery License..... \$75.00
22 6. Rectifier License..... \$3,125.00
23 7. Wine and Spirits Wholesaler License..... \$3,000.00
24 8. Beer Distributor License..... \$750.00

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|----|-----|---|---------------------|
| 1 | | (initial license) | |
| 2 | | | \$905.00 |
| 3 | | (renewal) | |
| 4 | 17. | Annual Special Event License..... | \$55.00 |
| 5 | 18. | Quarterly Special Event License..... | \$55.00 |
| 6 | 19. | Hotel Beverage License..... | \$1,005.00 |
| 7 | | (initial license) | |
| 8 | | | \$905.00 |
| 9 | | (renewal) | |
| 10 | 20. | Airline/Railroad Beverage License..... | \$1,005.00 |
| 11 | | (initial license) | |
| 12 | | | \$905.00 |
| 13 | | (renewal) | |
| 14 | 21. | Agent License..... | \$55.00 |
| 15 | 22. | Employee License..... | \$30.00 |
| 16 | 23. | Industrial License..... | \$23.00 |
| 17 | 24. | Carrier License..... | \$23.00 |
| 18 | 25. | Private Carrier License..... | \$23.00 |
| 19 | 26. | Bonded Warehouse License..... | \$190.00 |
| 20 | 27. | Storage License..... | \$23.00 |
| 21 | 28. | Nonresident Seller License <u>Designating</u> or | |
| 22 | | <u>Nondesignating</u> Manufacturer's License..... | \$750.00 |
| 23 | | <u>50 cases or less sold in Oklahoma in last</u> | |
| 24 | | <u>calendar year.....</u> | <u>\$50.00</u> |

51 to 500 cases sold in Oklahoma in the last
calendar year..... \$75.00
501 cases or more sold in Oklahoma in the
last calendar year..... \$100.00

- 29. Manufacturer's Agent License..... \$55.00
- 30. Sacramental Wine Supplier License..... \$100.00
- 31. Charitable Auction License..... \$1.00
- 32. Charitable Alcoholic Beverage License..... \$55.00
- 33. Winemaker Self-Distribution License..... \$750.00
- 34. Annual Public Event License..... \$1,005.00
- 35. One-Time Public Event License..... \$255.00
- 36. Small Brewer Self-Distribution License..... \$750.00
- 37. Brewpub License..... \$1,005.00
- 38. Brewpub Self-Distribution License..... \$750.00

B. 1. There shall be added to the initial or renewal fees for a Mixed Beverage License an administrative fee, which shall not be deemed to be a license fee, in the amount of Five Hundred Dollars (\$500.00), which shall be paid at the same time and in the same manner as the license fees prescribed by paragraph 10 of subsection A of this section; provided, this fee shall not be assessed against service organizations or fraternal beneficiary societies which are exempt under Section 501(c)(19), (8) or (10) of the Internal Revenue Code.

1 2. There shall be added to the fee for a Mixed Beverage/Caterer
2 Combination License an administrative fee, which shall not be deemed
3 to be a license fee, in the amount of Two Hundred Fifty Dollars
4 (\$250.00), which shall be paid at the same time and in the same
5 manner as the license fee prescribed by paragraph 11 of subsection A
6 of this section.

7 C. Notwithstanding the provisions of subsection A of this
8 section:

9 1. The license fee for a mixed beverage or bottle club license
10 for those service organizations or fraternal beneficiary societies
11 which are exempt under Section 501(c)(19), (8) or (10) of the
12 Internal Revenue Code shall be Five Hundred Dollars (\$500.00) per
13 year; and

14 2. The renewal fee for an airline/railroad beverage license
15 held by a railroad described in 49 U.S.C., Section 24301, shall be
16 One Hundred Dollars (\$100.00).

17 D. An applicant may apply for and receive both an on-premises
18 beer and wine license and a caterer license.

19 E. All licenses, except as otherwise provided, shall be valid
20 for one (1) year from date of issuance unless revoked or
21 surrendered. Provided, all employee licenses shall be valid for two
22 (2) years.

23 F. The holder of a license, issued by the ABLE Commission, for
24 a bottle club located in a county of this state where the sale of

1 alcoholic beverages by the individual drink for on-premises
2 consumption has been authorized, may exchange the bottle club
3 license for a mixed beverage license or an on-premises beer and wine
4 license and operate the licensed premises as a mixed beverage
5 establishment or an on-premises beer and wine establishment subject
6 to the provisions of the Oklahoma Alcoholic Beverage Control Act.
7 There shall be no additional fee for such exchange and the mixed
8 beverage license or on-premises beer and wine license issued shall
9 expire one (1) year from the date of issuance of the original bottle
10 club license.

11 G. In addition to the applicable licensing fee, the following
12 surcharge shall be assessed annually on the following licenses:

- 13 1. ~~Nonresident Seller or~~ Designating Wine and
14 Spirit Manufacturer License..... ~~\$2,500.00~~
15 50 cases or less sold in Oklahoma in last
16 calendar year \$125.00
17 51 to 500 cases sold in Oklahoma in the last
18 calendar year \$250.00
19 501 cases or more sold in Oklahoma in the
20 last calendar year \$375.00
- 21 2. Wine and Spirits Wholesaler License..... \$2,500.00
- 22 3. Beer Distributor..... \$1,000.00
- 23 4. Retail Spirits License for cities and towns
24 over 5,000 population..... \$250.00

- 1 5. Retail Spirits License for cities and towns
- 2 from 2,501 to 5,000 population..... \$200.00
- 3 6. Retail Spirits License for cities and towns
- 4 from 200 to 2,500 population..... \$150.00
- 5 7. Retail Wine License..... \$250.00
- 6 8. Retail Beer License..... \$250.00
- 7 9. Mixed Beverage License..... \$25.00
- 8 10. Mixed Beverage/Caterer Combination License..... \$25.00
- 9 11. Caterer License..... \$25.00
- 10 12. On-Premises Beer and Wine License..... \$25.00
- 11 13. Annual Public Event License..... \$25.00
- 12 14. Small Farm Winery License..... \$25.00
- 13 15. Small Brewer License..... \$35.00

14 The surcharge shall be paid concurrent with the licensee's
15 annual licensing fee and, in addition to Five Dollars (\$5.00) of the
16 employee license fee, shall be deposited in the Alcoholic Beverage
17 Governance Revolving Fund established pursuant to Section 5-128 of
18 this title.

19 H. Any license issued by the ABLE Commission under this title
20 may be relied upon by other licensees as a valid license, and no
21 other licensee shall have any obligation to independently determine
22 the validity of such license or be held liable solely as a
23 consequence of another licensee's failure to maintain a valid
24 license.

