

1 **SENATE FLOOR VERSION**

2 February 13, 2020

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 1349

6 By: McEntire of the House

7 and

8 Coleman of the Senate

9 An Act relating to alcoholic beverages; amending  
10 Section 21, Chapter 366, O.S.L. 2016 (37A O.S. Supp.  
11 2019, Section 2-109), which relates to certain retail  
12 licenses; modifying restriction on sale of malt  
13 beverages; providing an effective date; **and declaring  
14 an emergency.**

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

16 SECTION 1. AMENDATORY Section 21, Chapter 366,  
17 O.S.L. 2016 (37A O.S. Supp. 2019, Section 2-109), is amended  
18 to read as follows:

19 Section 2-109. A. A retail spirits license shall  
20 authorize the holder thereof:

21 1. To purchase wine or spirits from a wine and spirits  
22 wholesaler;

23 2. To purchase beer from a beer distributor or from the holder  
24 of a small brewer self-distribution license; and

3. To sell same on the licensed premises in such containers to  
consumers for off-premises consumption only and not for resale;

1 provided, spirits, wine and beer may be sold to charitable  
2 organizations that are holders of charitable alcoholic beverage  
3 auction or charitable alcoholic beverage event licenses.

4 B. A retail wine license shall authorize the holder thereof:

5 1. To purchase wine from a wine and spirits wholesaler;

6 2. To purchase wine from a small farm winemaker who is  
7 permitted and has elected to self-distribute as provided in Article  
8 ~~XXVIII~~ XXVIII-A of the Oklahoma Constitution; and

9 3. To sell same on the licensed premises in such containers to  
10 consumers for off-premises consumption only and not for resale;  
11 provided, wine may be sold to charitable organizations that are  
12 holders of charitable alcoholic beverage auction or charitable  
13 alcoholic beverage event licenses.

14 Provided, no holder of a ~~Retail Wine License~~ retail wine license  
15 may sell wine with alcohol beverage volume in excess of fifteen  
16 percent (15%).

17 C. A retail beer license shall authorize the holder thereof:

18 1. To purchase beer from a beer distributor;

19 2. To purchase beer from the holder of a small brewer self-  
20 distribution license; and

21 3. To sell same on the licensed premises in such containers to  
22 consumers for off-premises consumption only and not for resale;  
23 provided, beer may be sold to charitable organizations that are  
24

1 holders of charitable alcoholic beverage auction or charitable  
2 alcoholic beverage event licenses.

3        Provided, no holder of a ~~Retail Beer License~~ retail beer license  
4 may sell a malt beverage with alcohol beverage volume in excess of  
5 ~~eight and ninety-nine/one hundredths percent (8.99%)~~ fifteen percent  
6 (15%).

7        SECTION 2. This act shall become effective **July 1, 2020**.

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

13 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM  
14 February 13, 2020 - DO PASS AS AMENDED

15

16

17

18

19

20

21

22

23

24