

ENGROSSED HOUSE  
BILL NO. 1170

BY: HAMILTON (Jeff) of the  
HOUSE

and

HERBERT of the SENATE

AN ACT RELATING TO CRIMES AND PUNISHMENTS; AMENDING  
21 O.S. 1981, SECTIONS 1102 AND 1103, WHICH RELATE  
TO POOL OR BILLIARD HALL LICENSES; MODIFYING  
REASONS FOR LICENSE RESTRICTIONS AND REVOCATION OF  
LICENSES; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 21 O.S. 1981, Section 1102, is  
amended to read as follows:

Section 1102. It shall be unlawful for any person or persons or  
corporation to maintain or operate a public pool or billiard hall,  
or any public pool or billiard table, in any incorporated city or  
town, without first securing license issued by the district court  
clerk. The person applying for such license must make a showing  
once each year, and satisfy the district court clerk that he is a  
person of good moral character; that he has never been convicted of  
violating any of the laws ~~prohibiting~~ regulating the traffic in any  
spirituous, vinous, fermented or malt liquors, or any of the  
intoxicating or nonintoxicating beverage laws ~~commonly called~~  
~~"prohibition laws"~~ of the state, or convicted of violating any of  
the gambling laws of the state; ~~or has paid the special liquor~~

~~dealers' tax to the United States, and must make further proof that no special liquor dealers' tax stamps or receipt issued by the United States is held by any person occupying that part of such building in which the pool or billiard hall is to be operated. A fee of Ten Dollars (\$10.00) per year shall be charged for the issuing of such license. Upon application being filed, the district court clerk shall give five (5) days' notice by posting notices, one of said notices to be posted at the county courthouse, one notice to be served on the district attorney or his assistant and three (3) notices in the city or town where said pool hall shall be located. Said notice shall contain the name of the applicant and the location of said pool or billiard hall. Any citizen of said city or town may appear before the district court clerk and protest the issuance of said license. Any party aggrieved by any decision of the court clerk can appeal to the district court as specified in Section 163.11 of Title 37 of the Oklahoma Statutes. Any person violating any provision of this section shall be punished by fine, not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00), for each offense.~~

SECTION 2. AMENDATORY 21 O.S. 1981, Section 1103, is amended to read as follows:

Section 1103. A judge of the district court, upon five (5) days' notice to the person holding such license, ~~shall~~ may revoke such license for any one of the following reasons:

1. Drunkenness of the person holding such license or permitting any intoxicated person to loiter in such place.

2. Permitting minors to resort to such place, unless accompanied by parent or guardian.

~~3. Payment of the special liquor dealers' tax to the United States by the proprietor or anyone connected in any manner with him.~~

~~4. Maintaining such place in that part of a building or adjoining that part of a building occupied by any person holding a~~

~~special liquor dealer's tax stamp, or receipt issued by the United States.~~

5. Violating any of the intoxicating or nonintoxicating beverage laws of the state ~~commonly called "prohibition laws" or violating any of the laws of the state;~~ or permitting anyone to violate any of these laws in such place.

SECTION 3. This act shall become effective September 1, 1991.

Passed the House of Representatives the 11th day of March, 1991.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1991.

President of the Senate