

SHORT TITLE: Constitutional amendment; referring repeal of Section 2 of Article XXVIII of the Constitution to a vote of the people; relating to application of alcoholic beverage laws to 3.2 beer; ballot title; filing; special election.

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

SENATE JOINT
RESOLUTION NO. 23

By: Cole

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection the repeal of Section 2 of Article XXVIII of the Constitution of the State of Oklahoma, which relates to application of the terms and provisions of Article XXVIII and the Oklahoma Alcoholic Beverage Control Act to beer or cereal malt beverages containing not more than three and two-tenths percent (3.2%) alcohol by weight and to certain prohibitions against persons authorized to sell alcoholic beverages by the individual drink; providing ballot title; directing filing; and ordering a special election.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 44TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the repeal of Section 2 of Article XXVIII of the Constitution of the State of Oklahoma, which relates to application of the terms and provisions of Article XXVIII and the Oklahoma Alcoholic Beverage Control Act to beer or cereal malt beverages containing not more than three and two-tenths percent (3.2%) alcohol by weight and to certain prohibitions against persons authorized to sell alcoholic beverages by the individual drink.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure would repeal Section 2 of Article XXVIII of the state Constitution. This section relates to liquor. It also relates to beer and other beverages containing not more than 3.2 percent alcohol by weight. It provides that the parts of the state Constitution and laws which relate to liquor do not include or apply to such beer or other beverages. This section also relates to persons licensed to sell liquor by the drink. Under this section, such a person is not prevented from also being qualified to sell such beer or other beverages in the same location. If this measure is approved, these requirements will no longer be a part of the state Constitution.

SHALL THE PROPOSED REPEAL BE APPROVED BY THE PEOPLE?

 / YES, FOR THE REPEAL

 / NO, AGAINST THE REPEAL

SECTION 3. The President Pro Tempore of the Senate shall, immediately after the passage of this resolution, prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

SECTION 4. A special election is hereby ordered to be held throughout the State of Oklahoma on the date of the next statewide primary or special election, at which time the proposed amendment to the Constitution of the State of Oklahoma, as set forth in SECTION 1 of this resolution, shall be submitted to the people of Oklahoma for their approval or rejection as and in the manner provided by law.

44-2-1647

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