

ENGROSSED HOUSE
BILL NO. 2807

By: Davis of the House
and
Smith of the Senate

An Act relating to intoxicating liquors; prohibiting retail sales or retail shipments of low-point beer from out-of-state seller; providing penalties; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 163.26 of Title 37, unless there is created a duplication in numbering, reads as follows:

It is unlawful for any manufacturer, wholesaler or retailer of low-point beer, located and doing business from outside this state, to make retail sales of low-point beer to purchasers located in this state or to ship low-point beer sold at retail to persons located in this state.

SECTION 2. AMENDATORY 37 O.S. 1991, Section 163.20, as amended by Section 32, Chapter 274, O.S.L. 1995 (37 O.S. Supp. 1997, Section 163.20), is amended to read as follows:

Section 163.20 A. Any person who shall engage in the sale of low-point beer in violation of the provisions of ~~Section~~ Sections 163.1 ~~et seq.~~ through 163.25 of this title shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished for

such misdemeanor as provided for by the general statutes of this state.

B. Any person who engages in the sale or shipping of low-point beer in violation of the provisions of Section 1 of this act, upon conviction, shall be guilty of a Schedule D1 felony if the sale or delivery is made to a person under twenty-one (21) years of age, or a Schedule G felony if the sale or delivery is made to a person twenty-one (21) years of age or older. The fine for a violation of Section 1 of this act shall be not more than Ten Thousand Dollars (\$10,000.00). In addition, if such person holds a permit issued by the Oklahoma Tax Commission pursuant to Section 163.7 of this title, the permit shall be revoked and shall not be subject to renewal.

SECTION 3. This act shall become effective November 1, 1998.

Passed the House of Representatives the 9th day of March, 1998.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1998.

President of the Senate