

ENGROSSED HOUSE
BILL NO. 1961

By: Dunegan of the House

and

Mickle of the Senate

An Act relating to intoxicating liquors; amending 37 O.S. 1991, Section 213, which relates to selling and serving hours for low-point beer; prohibiting commercial premises from allowing low-point beer to be consumed on the premises between certain hours; defining term; adding penalty; and declaring an emergency.

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

SECTION 1. AMENDATORY 37 O.S. 1991, Section 213, is amended to read as follows:

Section 213. ~~From and after the effective date of this act it~~

A. It shall be unlawful for any place licensed to sell beverages containing more than one-half of one percent (1/2 of 1%) of alcohol by volume and not more than three and two-tenths percent (3.2%) of alcohol by weight to sell, dispense, or serve such beverages for consumption on the premises between the hours of two o'clock a.m. and seven o'clock a.m. or allow such beverages to be consumed on the premises between the hours of two o'clock a.m. and seven o'clock a.m. excepting Saturday nights when such beverages may not be sold, dispensed, served, or consumed on the premises between the hours of two o'clock a.m. and twelve o'clock noon on Sundays; provided, the governing body of any city or town is hereby authorized to prohibit, by ordinance regularly enacted, the sale, dispensing, serving, and consumption of such beverages between the hours of two o'clock a.m. on Sunday and seven o'clock a.m. of the following Monday.

B. It shall be unlawful for any place that is a commercial premises to allow beverages containing more than one-half of one

percent (1/2 of 1%) alcohol by volume and not more than three and two-tenths percent (3.2%) of alcohol by weight to be consumed on such commercial premises between the hours of two o'clock a.m. and seven o'clock a.m. As used in this subsection, "commercial premises" means a location or establishment at which this type of business or activity is carried on for profit.

C. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment. In addition, such violation shall be grounds for revocation of any license or permit for the sale of such beverages, as and in the manner provided by law.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 1st day of March, 2000.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 2000.

President of the Senate