ENGROSSED SENATE
BILL NO. 1535

By: Easley and Monson of the Senate

and

Easley of the House

An Act relating to intoxicating liquors; amending Section 4, Chapter 391, O.S.L. 1999 (37 O.S. Supp. 1999, Section 518.3), which relates to location of mixed beverage establishments and bottle clubs with respect to schools and churches; making retail package stores subject to same distance restrictions as mixed beverage establishments and bottle clubs; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 4, Chapter 391, O.S.L. 1999 (37 O.S. Supp. 1999, Section 518.3), is amended to read as follows:

Section 518.3 It shall be unlawful for any mixed beverage establishment or bottle club which has been licensed by the Alcoholic Beverage Laws Enforcement Commission and which has as its main purpose the selling or serving of alcoholic beverages for consumption on the premises, or any retail package store, to be located within three hundred (300) feet of any public or private school or church property primarily and regularly used for worship services and religious activities. The distance indicated in this section shall be measured from the nearest property line of such public or private school or church to the nearest perimeter wall of the premises of any such mixed beverage establishment ~~or~~ , bottle club, or retail package store which has been licensed to sell alcoholic beverages. The provisions of this section shall not apply to mixed beverage establishments or bottle clubs which have been licensed to sell alcoholic beverages for on-premises consumption, or retail package stores, licensed prior to ~~the effective date of this~~

~~act~~ July 1, 1999. If any school or church shall be established within three hundred (300) feet of any mixed beverage establishment ~~or~~ , bottle club, or retail package store subject to the provisions of this section after such mixed beverage establishment ~~or~~ , bottle club, or retail package store has been licensed, the provisions of this section shall not be a deterrent to the renewal of such license if there has not been a lapse of more than sixty (60) days. When any mixed beverage establishment or bottle club subject to the provisions of this section which has a license to sell alcoholic beverages for on-premises consumption, or any retail package store, changes ownership or the operator thereof is changed and such change of ownership results in the same type of business being conducted on the premises, the provisions of this section shall not be a deterrent to the issuance of a license to the new owner or operator if ~~he or she~~ the new owner or operator is otherwise qualified.

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 Senate the 13th day of March, 2000.

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President of the Senate

Passed the House of Representatives the ____ day of _____, 2000.

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Speaker of the House of Representatives