

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

SENATE BILL 1543

By: Robinson

AS INTRODUCED

An Act relating to the Oklahoma Alcoholic Beverage Control Act; amending 37 O.S. 1991, Section 534, which relates to package store license; declaring sale from drive-up window to be sale within premises; and providing an effective date.

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

SECTION 1. AMENDATORY 37 O.S. 1991, Section 534, is amended to read as follows:

Section 534. A. No package store license shall be issued for premises unless said premises are separated from premises on which any other goods, wares or merchandise are sold or services are rendered by nontransparent walls which may be broken by a passageway to which the public is not admitted. Provided, it shall be unlawful for any person or persons to take any alcoholic beverage from such store through said passageway for the purpose of selling, reselling, or delivering in connection with the sale of said alcoholic beverage. Such licenses shall apply only to the premises described in the application. No person may own any interest in more than one package store. For the purpose only of establishing whether or not a person owns an interest in more than one package store license, the spouse of any person or partner and any person having a beneficial interest in any package store shall be deemed to be a partner in said package store. A beneficial interest shall be any interest that benefits from any sales or profits of said package store.

B. Package stores licensed under the Oklahoma Alcoholic Beverage Control Act may sell only alcoholic beverages in retail containers as defined in Section 506 of this title, in the original package for consumption off the premises. Provided, all alcoholic beverages are to be sold at ordinary room temperature. All retail sales shall be made on the licensed premises and all deliveries off the premises, at retail, of intoxicating liquor or beer are hereby prohibited. Sales from drive-up windows shall be regarded as sales from within or on the premises.

SECTION 2. This act shall become effective November 1, 2000.

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