

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2256

By: Fields

AS INTRODUCED

An Act relating to intoxicating beverages; amending 37 O.S. 2001, Section 518, which relates to fees for licenses issued pursuant to the Oklahoma Alcoholic Beverage Control Act; exempting certain organizations and societies from administrative fee; and declaring an emergency.

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

SECTION 1. AMENDATORY 37 O.S. 2001, Section 518, is amended to read as follows:

Section 518. A. Except as otherwise provided in this section, the licenses issued by the Alcoholic Beverage Laws Enforcement Commission, and the annual fees therefor, shall be as follows:

- 1. Brewer License..... \$1,250.00
- 2. Distiller License..... \$3,125.00
- 3. Winemaker License..... \$625.00
- 4. Oklahoma Winemaker License..... \$75.00
- 5. Rectifier License..... \$3,125.00
- 6. Wholesaler License..... \$3,500.00
- 7. Class B Wholesaler License..... \$625.00
- 8. The following package store license fees shall be determined by the latest Federal Decennial Census:
 - a. Package Store License for cities and towns from 200 to 2,500 population..... \$305.00

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| b. | Package Store License for cities and towns from 2,501 to 5,000 population..... | \$605.00 |
| c. | Package Store License for cities and towns over 5,000 population..... | \$905.00 |
| 9. | Mixed Beverage License | \$1,005.00 |
| | (initial license) | |
| | | \$905.00 |
| | (renewal) | |
| 10. | Mixed Beverage/Caterer Combination License..... | \$1,250.00 |
| 11. | Beer and Wine License..... | \$500.00 |
| | (initial license) | |
| | | \$450.00 |
| | (renewal) | |
| 12. | Bottle Club License..... | \$1,000.00 |
| | (initial license) | |
| | | \$900.00 |
| | (renewal) | |
| 13. | Caterer License..... | \$1,005.00 |
| | (initial license) | |
| | | \$905.00 |
| | (renewal) | |
| 14. | Annual Special Event License..... | \$55.00 |
| 15. | Quarterly Special Event License..... | \$55.00 |
| 16. | Hotel Beverage License..... | \$1,005.00 |
| | (initial license) | |
| | | \$905.00 |
| | (renewal) | |
| 17. | Airline/Railroad Beverage License..... | \$1,005.00 |
| | (initial license) | |
| | | \$905.00 |
| | (renewal) | |

- 18. Agent License..... \$55.00
- 19. Employee License..... \$30.00
- 20. Industrial License..... \$23.00
- 21. Carrier License..... \$23.00
- 22. Private Carrier License..... \$23.00
- 23. Bonded Warehouse License..... \$190.00
- 24. Storage License..... \$23.00
- 25. Nonresident Seller License..... \$750.00
- 26. Manufacturers Agent License..... \$55.00
- 27. Sacramental Wine Supplier License..... \$100.00
- 28. Charitable Auction License..... \$1.00

There shall be added to the initial or renewal fees for a Mixed Beverage License an administrative fee, which shall not be deemed to be a license fee, in the amount of Five Hundred Dollars (\$500.00), which shall be paid at the same time and in the same manner as the license fees prescribed by paragraph 9 of this subsection; provided, this fee shall not be assessed against service organizations or fraternal beneficiary societies which are exempt under Section 501(c)(19), (8) or (10) of the Internal Revenue Code. There shall be added to the fee for a Mixed Beverage/Caterer Combination License an administrative fee, which shall not be deemed to be a license fee, in the amount of Two Hundred Fifty Dollars (\$250.00), which shall be paid at the same time and in the same manner as the license fee prescribed by paragraph 10 of this subsection.

B. Notwithstanding the provisions of subsection A of this section:

1. The license fee for a mixed beverage or bottle club license for those service organizations or fraternal beneficiary societies which are exempt under Section 501(c)(19), (8) ~~and~~ or (10) of the Internal Revenue Code shall be Five Hundred Dollars (\$500.00) per year;

2. The fees provided for in subsection A of this ~~subsection~~ section for a brewer license and for a Class B wholesaler license shall be reduced by seventy-five percent (75%) if the applicant therefor is also the holder of a license to manufacture or wholesale any low-point beer as provided for in this title; and

3. The renewal fee for an airline/railroad beverage license held by a railroad described in Section 24301 of Title 49 of the United States Code, 49 U.S.C., Section 24301, shall be One Hundred Dollars (\$100.00).

C. An applicant may apply for and receive both a beer and wine license and a caterer license.

D. All licenses, except as otherwise provided, shall be valid for one (1) year from date of issuance unless revoked or surrendered. Provided, all employee licenses issued on or after September 1, 1993, shall be valid for two (2) years.

E. The holder of a license, issued by the ABLE Commission, for a bottle club located in a county of this state where the sale of alcoholic beverages by the individual drink for on-premises consumption has been authorized, may exchange the bottle club license for a mixed beverage license or a beer and wine license and operate the licensed premises as a mixed beverage establishment or a beer and wine establishment subject to the provisions of the Oklahoma Alcoholic Beverage Control Act. There shall be no additional fee for such exchange and the mixed beverage license or beer and wine license issued shall expire one (1) year from the date of issuance of the original bottle club license.

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.

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