

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE
FOR ENGROSSED HOUSE
JOINT RESOLUTION 1059

By: Hutchison of the House

and

Shurden of the Senate

COMMITTEE SUBSTITUTE

[Joint Resolution - amendment to Section 4 of
Article XXVIII of the Constitution - retail sales of
alcoholic beverages - ballot title - filing]

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
2ND SESSION OF THE 49TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for
their approval or rejection, as and in the manner provided by law,
the following proposed amendment to Section 4 of Article XXVIII of
the Constitution of the State of Oklahoma to read as follows:

Section 4. Except as hereinafter provided, retail sales of
alcoholic beverages shall be limited to the original sealed package,
by privately owned and operated package stores, in cities and towns
having a population in excess of two hundred (200) persons or by
wineries; provided that wineries shall be able to sell only wine
which has been produced on the winery premises. No goods, wares, or
merchandise shall be sold and no services, except as authorized by a
package store tasting license, shall be rendered on the same
premises on which retail package alcoholic beverages are sold. Said
premises are herein defined to be the entire space in which retail
package alcoholic beverages are sold or displayed and said premises
must be separated from any premises on which any other goods, wares,
or merchandise are sold or services rendered by walls which may only
be broken by a passageway to which the public is not admitted;

provided, the restriction on the sale of merchandise and rendering of services shall not apply to the premises of a winery.

Not more than one retail package license shall be issued to any person or general or limited partnership.

Retail sale of alcoholic beverages by the individual drink for on-premises consumption is hereby authorized within a county if the voters of such county have previously approved such retail sale at an election.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure would amend the Oklahoma Constitution. It would amend the Article that deals with alcoholic beverages. It would amend the section that deals with package stores. It would let package stores provide services related to tasting events. Now, package stores cannot provide any services on the premises not related to the sale of alcoholic beverages.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this act, shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

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