

ENGROSSED HOUSE  
BILL NO. 1106

By: Balkman of the House  
and  
Monson of the Senate

( Community-based Substance Abuse Revolving Fund -  
amending 37 O.S., Section 213 - low-point beer  
establishments - codification -  
effective date )

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 2-311 of Title 43A, unless there  
is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund  
for the Department of Mental Health and Substance Abuse Services to  
be designated the Community-based Substance Abuse Revolving Fund.  
The fund shall be a continuing fund, not subject to fiscal year  
limitations. All monies accruing to the credit of said fund are  
hereby appropriated and may be budgeted and expended by the  
Department of Mental Health and Substance Abuse Services for the  
purpose of contracting with private facilities, organizations and  
tribal programs to provide treatment, counseling, rehabilitation,  
and other related services directed toward alcohol- and drug-  
dependent persons. Expenditures from said fund shall be made upon  
warrants issued by the State Treasurer against claims filed as  
prescribed by law with the Director of State Finance for approval  
and payment.

SECTION 2. AMENDATORY 37 O.S. 2001, Section 213, is  
amended to read as follows:

Section 213. 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~~ low-point beer to sell, dispense, or serve ~~such beverages~~ low-point beer for consumption on the premises between the hours of ~~two o'clock a.m.~~ midnight and seven o'clock a.m. or allow ~~such beverages~~ low-point beer to be consumed on the premises between the hours of ~~two o'clock a.m.~~ midnight and seven o'clock a.m. excepting Saturday nights when ~~such beverages~~ low-point beer may not be sold, dispensed, served, or consumed on the premises between the hours of ~~two o'clock a.m.~~ midnight 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~~ low-point beer between the hours of ~~two o'clock a.m. on Sunday~~ midnight on Saturday 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~~ low-point beer to be consumed on such commercial premises between the hours of ~~two o'clock a.m.~~ midnight 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~~ low-point beer, as and in the manner provided by law.

SECTION 3. This act shall become effective July, 1, 2003.

Passed the House of Representatives the 6th day of March, 2003.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2003.

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Presiding Officer of the Senate