

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE JOINT
RESOLUTION HJR1019

By: McClain

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to Section 4 of Article XXVIII of the Constitution of the State of Oklahoma; authorizing the retail sale of wine by businesses engaged primarily in the retail sale of groceries; providing restrictions; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST 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 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.

Retail sales of wine for off-premises consumption only, and not for resale, shall be allowed by businesses engaged primarily in the retail sale of groceries. For one (1) year after the passage of this amendment, the retail sale of wine by businesses engaged primarily in the retail sale of groceries shall be limited to the sale of wine produced by Oklahoma wineries.

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 amends the Oklahoma Constitution. It amends Section 4 of Article 28. Article 28 deals with liquor. Currently, grocery stores are allowed to sell low-point beer. They are not allowed to sell wine. The amendment would let grocery stores sell wine. For one year, the change would apply only to Oklahoma wine. After one year, it would apply to all wine.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

YES, FOR THE AMENDMENT

NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, 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.

49-1-5915 SD 01/19/03