

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1915

By: Blackburn

AS INTRODUCED

An Act relating to intoxicating liquors; amending 37 O.S. 2001, Section 163.27, which relates to location of low-point beer licensee for on-premises consumption; modifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 37 O.S. 2001, Section 163.27, is amended to read as follows:

Section 163.27 It shall be unlawful for any place which has received a permit or which has been licensed to sell low-point beer and which has as its main purpose the selling or serving of low-point beer for consumption on the premises to be located within three hundred (300) feet of any public or private school or church property primarily and regularly used for worship services and religious activities. The distance indicated in this section shall be measured from the nearest property line of ~~such~~ the public or private school or church to the nearest perimeter wall of the premises of ~~any such~~ the place which has received a permit or which has been licensed to sell low-point beer. The provisions of this section shall not apply to places which have received a permit or which have been licensed to sell low-point beer for on-premises consumption prior to the effective date of this act. If any school or church shall be established within three hundred (300) feet of any place subject to the provisions of this section after ~~such~~ the place has received a permit or been licensed, the provisions of this section shall not be a deterrent to the renewal of ~~such~~ the permit

or license if there has not been a lapse of more than sixty (60) days. When any place subject to the provisions of this section which has a permit or license to sell low-point beer for on-premises consumption changes ownership or the operator thereof is changed, and ~~such~~ the change results in the same type of business being conducted on the premises, the provisions of this section shall not be a deterrent to the issuance of a license or permit to the new owner or operator if he or she is otherwise qualified.

If an establishment selling low-point beer also is the holder of a mixed beverage or beer and wine license issued by the Alcoholic Beverage Laws Enforcement Commission, the establishment shall be subject to the zoning provisions of Section ~~3~~ 518.3 of this ~~act~~ title rather than the provisions of this section.

SECTION 2. This act shall become effective November 1, 2005.

50-1-5978            GRS            01/19/05