

SB 2210

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THE STATE SENATE
Wednesday, February 17, 2010

Senate Bill No. 2210
As Amended

SENATE BILL NO. 2210 - By: Branan of the Senate and Sullivan of the House.

[intoxicating liquor - package store license - spouse -
effective date -
emergency]

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

SECTION 1. AMENDATORY 37 O.S. 2001, Section 534, as amended by Section 2, Chapter 131, O.S.L. 2008 (37 O.S. Supp. 2009, Section 534), is amended to read as follows:

Section 534. A. No package store license shall be issued for premises unless said premises are separated from premises on which any other goods, wares or merchandise are sold or services are rendered by nontransparent walls which may be broken by a passageway to which the public is not admitted. Provided, it shall be unlawful for any person or persons to take any alcoholic beverage from such store through said passageway for the purpose of selling, reselling, or delivering in connection with the sale of said alcoholic beverage. Such licenses shall apply only to the premises described in the application. No person may own any interest in more than one package store. For the purpose only of establishing whether or not a person owns an interest in more than one package store, any person

1 having a beneficial interest in any package store shall be deemed to
2 be a partner in said package store except that the spouse of any
3 package store license holder or partner shall not be deemed to be a
4 partner or have a beneficial interest in a package store unless his
5 or her name appears on the license. A beneficial interest shall be
6 any interest that benefits from any sales or profits of said package
7 store.

8 B. For purposes of this section, any spouse of a package store
9 license holder shall not hold another license provided for pursuant
10 to the Oklahoma Alcoholic Beverage Control Act, except a package
11 store license.

12 C. Package stores licensed under the Oklahoma Alcoholic
13 Beverage Control Act may sell only alcoholic beverages in retail
14 containers as defined in Section 506 of this title, in the original
15 package for consumption off the premises. Provided, all alcoholic
16 beverages are to be sold at ordinary room temperature. All retail
17 sales shall be made on the licensed premises and all deliveries off
18 the premises, at retail, of intoxicating liquor or beer are hereby
19 prohibited.

20 SECTION 2. This act shall become effective July 1, 2010.

21 SECTION 3. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS & LABOR, dated 2-15-10 -
4 DO PASS, As Amended and Coauthored.