

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 2210

By: Branam

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5
6 AS INTRODUCED

7 An Act relating to intoxicating liquor; amending 37
8 O.S. 2001, Section 534, as amended by Section 2,
9 Chapter 131, O.S.L. 2008, (37 O.S. Supp. 2009,
10 Section 534), which relates to package store license;
11 prohibiting licensee's spouse from holding another
12 license; providing exception; providing an effective
13 date; and declaring an emergency.

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

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

18 Section 534. A. No package store license shall be issued for
19 premises unless said premises are separated from premises on which
20 any other goods, wares or merchandise are sold or services are
21 rendered by nontransparent walls which may be broken by a passageway
22 to which the public is not admitted. Provided, it shall be unlawful
23 for any person or persons to take any alcoholic beverage from such
24 store through said passageway for the purpose of selling, reselling,
or delivering in connection with the sale of said alcoholic

1 beverage. Such licenses shall apply only to the premises described
2 in the application. No person may own any interest in more than one
3 package store. For the purpose only of establishing whether or not
4 a person owns an interest in more than one package store, any person
5 having a beneficial interest in any package store shall be deemed to
6 be a partner in said package store except that the spouse of any
7 package store license holder or partner shall not be deemed to be a
8 partner or have a beneficial interest in a package store unless his
9 or her name appears on the license. A beneficial interest shall be
10 any interest that benefits from any sales or profits of said package
11 store.

12 B. For purposes of this section, any spouse of a package store
13 license holder shall not hold another license provided for pursuant
14 to the Oklahoma Alcoholic Beverage Control Act, except a package
15 store license.

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

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

1 SECTION 3. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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