

1 B. A distiller license shall authorize the holder thereof: To
2 manufacture, bottle, package, and store spirits on licensed
3 premises; to sell spirits in this state to licensed wholesalers and
4 manufacturers only; to sell spirits out of this state to qualified
5 persons; to purchase from licensed distillers and rectifiers in this
6 state, and import spirits from without this state for manufacturing
7 purposes in accordance with federal laws and regulations.

8 C. A winemaker license shall authorize the holder thereof: To
9 manufacture (including such mixing, blending and cellar treatment as
10 authorized by federal law), bottle, package, and store on licensed
11 premises wine containing not more than twenty-four percent (24%)
12 alcohol by volume, provided the bottle or package sizes authorized
13 shall be limited to the capacities approved by the United States
14 Alcohol and Tobacco Tax and Trade Bureau; to sell wine in this state
15 to licensed wholesalers and manufacturers; to sell bottles of wine
16 produced at the winery from grapes and other fruits and berries
17 grown in this state, if available, to consumers on the premises of
18 the winery; to serve visitors on the licensed premises samples of
19 wine produced on the premises; to serve samples of wine produced at
20 the winery at festivals and trade shows; to sell wine produced at
21 the winery, in original sealed containers, at festivals and trade
22 shows; to sell wine out of this state to qualified persons; to
23 purchase from licensed winemakers, distillers and rectifiers in this

1 state, and to import into this state wine, brandy and fruit spirits
2 for use in manufacturing in accordance with federal laws and
3 regulations; provided, a winemaker either within or without this
4 state that annually produces no more than ten thousand (10,000)
5 gallons of wine may elect to sell and self-distribute the wine
6 produced by such winemaker directly to licensed retail package
7 stores and restaurants in this state; and provided further that:

8 a. ~~any~~

9 1. Any such winemaker which elects to directly sell its wine to
10 package stores and restaurants shall not also use a licensed
11 wholesale distributor as a means of distribution, and shall be
12 required to sell its wines to every package store and restaurant
13 licensee who desires to purchase the same, on the same price basis
14 and without discrimination, ~~and~~ ;

15 b. ~~if~~

16 2. If a winemaker or winery sells directly to a retail package
17 store or restaurant, the winemaker shall transport the wine from the
18 winemaker's winery to the premises where the wine is to be delivered
19 only in vehicles owned or leased by the winemaker and not by common
20 or private contract carrier and shall obtain all necessary permits
21 as required by the Oklahoma Alcoholic Beverage Control Act, ~~and~~ ; and

22 c. ~~if~~

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1 3. If the production volume limit applicable to winemakers is
2 ruled to be unconstitutional by a court of competent jurisdiction,
3 then no winemaker shall be permitted to directly sell its wine to
4 retail package stores or restaurants in this state.

5 D. A winemaker self-distribution license shall authorize a
6 licensed winemaker within or without this state which is permitted
7 by Section 3 of Article XXVIII of the Oklahoma Constitution and
8 ~~paragraph 3 of~~ subsection C of this section, to distribute its wine
9 directly to retail package stores and restaurants in this state and
10 that elects to do so, to sell and deliver its wines directly to
11 licensed retail package stores and restaurants in this state in full
12 case lots only, and in accordance with the provisions of the
13 Oklahoma Alcoholic Beverage Control Act and such rules as the
14 Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) Commission shall
15 adopt.

16 E. A rectifier license shall authorize the holder thereof: To
17 rectify spirits and wines, bottle, package, and store same on the
18 licensed premises; to sell spirits and wines in this state to
19 licensed wholesalers and manufacturers only; to sell spirits and
20 wines out of this state to qualified persons; to purchase from
21 licensed manufacturers in this state; and to import into this state
22 for manufacturing purposes spirits and wines in accordance with
23 federal laws and regulations.

1 F. 1. A wholesaler license shall authorize the holder thereof:
2 To purchase and import into this state spirits and wines from
3 persons authorized to sell same who are the holders of a nonresident
4 seller license, and their agents who are the holders of
5 manufacturers agent licenses; to purchase spirits and wines from
6 licensed distillers, rectifiers and winemakers in this state; to
7 purchase spirits and wines from licensed wholesalers, to the extent
8 set forth in paragraphs 2 and 3 of this subsection; to sell in
9 retail containers in this state to retailers, mixed beverage,
10 caterer, special event, hotel beverage or airline/railroad beverage
11 licensees, spirits and wines which have been received and unloaded
12 at the bonded warehouse facilities of the wholesaler before such
13 sale; to sell to licensed wholesalers, to the extent set forth in
14 paragraphs 2 and 3 of this subsection, spirits and wines which have
15 been received and unloaded at the bonded warehouse facilities of the
16 wholesaler before such sale; and to sell spirits and wines out of
17 this state to qualified persons. Provided, however, sales of
18 spirits and wine in containers with a capacity of less than one-
19 twentieth (1/20) gallon by a holder of a wholesaler license shall be
20 in full case lots and in the original unbroken case. Wholesalers
21 shall be authorized to place such signs outside their place of
22 business as are required by Acts of Congress and by such laws and
23 regulations promulgated under such Acts.

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1 2. Wholesalers are prohibited from purchasing annually in
2 excess of fifteen percent (15%) of their total spirits inventory and
3 fifteen percent (15%) of their total wine inventory from one or more
4 wholesalers. Wholesalers are also prohibited from purchasing
5 annually in excess of fifteen percent (15%) of their inventory of
6 any individual brand of spirits or wine from one or more
7 wholesalers. The volume of spirits and wine and of each brand that
8 each wholesaler is permitted to purchase annually from other
9 wholesalers shall be calculated by the ABLE Commission by
10 multiplying fifteen percent (15%) by:

- 11 a. the total volume of spirits sales of the wholesaler,
12 by liter, from the previous calendar year, and
- 13 b. the total volume of wine sales of the wholesaler, by
14 liter, from the previous calendar year, and
- 15 c. the volume of sales of each brand of spirits or wine
16 of the wholesaler, by liter, from the previous
17 calendar year.

18 A wholesaler who did not post any sales of spirits, wine or of a
19 particular brand in the previous calendar year shall be deemed to
20 have sold the same volume of spirits, wine or of a particular brand
21 as the wholesaler posting the smallest volumes of sales in spirits,
22 wine or of a particular brand for that year for the purposes of this
23 paragraph. Notwithstanding the foregoing, wholesalers shall not

1 purchase any inventory in spirits or wine from any other wholesaler
2 until such time that the purchasing wholesaler possesses an
3 inventory valued at no less than Two Hundred Fifty Thousand Dollars
4 (\$250,000.00). Inventory valuation shall be based on the original
5 actual price paid by the purchasing wholesaler to the nonresident
6 seller for said inventory.

7 3. A wholesaler may sell spirits and wine to other wholesalers
8 or purchase spirits and wines from other wholesalers without
9 complying with paragraph 2 of this subsection in the case of the
10 sale, purchase, or other transfer or acquisition of the entire
11 business of a wholesaler, including the inventory of spirits and
12 wine.

13 4. A wholesaler license shall authorize the holder thereof to
14 operate a single bonded warehouse with a single central office
15 together with delivery facilities at a location in this state only
16 at the principal place of business for which the wholesaler license
17 was granted.

18 5. All licensed wholesalers shall register prices, purchase and
19 keep on hand or have on order a fifteen-day supply of all brands
20 constituting the top eighteen brands in total sales by all Oklahoma
21 wholesalers during the past twelve-month period, according to the
22 records of the ABLE Commission as revised by the ABLE Commission
23 quarterly; provided, however, that not more than three brands of any
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1 particular nonresident seller shall be included in the top-brands
2 classification. All purchase orders for these top eighteen brands
3 must show an expected due delivery date. These purchase orders may
4 only be canceled with prior approval of the Director of the ABLE
5 Commission, unless a wholesaler shall have in its warehouse a
6 fifteen-day supply of merchandise on such purchase order.

7 In order to allow the ABLE Commission to determine the top
8 eighteen brands, wholesalers must submit to the ABLE Commission
9 every sixty (60) days a sworn affidavit listing their top twenty-
10 five brands in sales for the previous sixty (60) days, excluding
11 sales to wholesalers. Such affidavits shall be submitted in
12 conjunction with the original price postings of wholesalers.

13 A fifteen-day supply of a particular brand for a particular
14 wholesaler shall be based upon the market share of the wholesaler,
15 determined by first multiplying the total number of liters of such
16 brand sold by all wholesalers to all retailers during the previous
17 calendar year by the percentage that the total sales of wine and
18 spirits of the particular wholesaler, in liters, for such calendar
19 year bears to the total sales of wine and spirits, in liters,
20 reported by all wholesalers for such calendar year; and then
21 dividing by twenty-four (24); provided, that a fifteen-day supply
22 for a wholesaler who has not been in business for the entirety of
23 the previous calendar year shall be deemed to be equal to that of

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 the wholesaler who was in business for the entirety of the previous
2 calendar year and who reported the lowest volume of sales of wine
3 and spirits, in liters, of any wholesaler having been in business
4 for such period.

5 G. A Class B wholesaler license shall authorize the holder
6 thereof: To purchase and import into this state beer from persons
7 authorized to sell same who are the holders of nonresident seller
8 licenses, and their agents who are the holders of manufacturers
9 agent licenses; to purchase beer from licensed brewers and Class B
10 wholesalers in this state; to sell in retail containers to
11 retailers, mixed beverage, caterer, special event, hotel beverage
12 and airline/railroad beverage licensees in this state, beer which
13 has been unloaded and stored at the holder's self-owned or leased
14 and self-operated warehouse facilities for a period of at least
15 twenty-four (24) hours before such sale; and to sell beer in this
16 state to Class B wholesalers and out of this state to qualified
17 persons, including federal instrumentalities and voluntary
18 associations of military personnel on federal enclaves in this state
19 over which this state has ceded jurisdiction.

20 H. A package store license shall authorize the holder thereof:
21 To purchase alcohol, spirits, beer and wine in retail containers
22 from the holder of a brewer, wholesaler or Class B wholesaler
23 license and to purchase wine from a winemaker who is permitted and
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1 has elected to self-distribute as provided in Section 3 of Article
2 XXVIII of the Oklahoma Constitution and to sell same on the licensed
3 premises in such containers to consumers for off-premises
4 consumption only and not for resale; provided, wine may be sold to
5 charitable organizations that are holders of charitable auction or
6 charitable wine event licenses. All alcoholic beverages that are
7 sold by a package store are to be sold at ordinary room temperature.

8 I. A mixed beverage license shall authorize the holder thereof:
9 To purchase alcohol, spirits, beer or wine in retail containers from
10 the holder of a wholesaler or Class B wholesaler license or as
11 specifically provided by law and to sell, offer for sale and possess
12 mixed beverages for on-premises consumption only; provided, the
13 holder of a mixed beverage license issued for an establishment which
14 is also a restaurant may purchase wine directly from a winemaker who
15 is permitted and has elected to self-distribute as provided in
16 Section 3 of Article XXVIII of the Oklahoma Constitution.

17 Sales and service of mixed beverages by holders of mixed
18 beverage licenses shall be limited to the licensed premises of the
19 licensee unless the holder of the mixed beverage license also
20 obtains a caterer license or a mixed beverage/caterer combination
21 license. A mixed beverage license shall only be issued in counties
22 of this state where the sale of alcoholic beverages by the
23 individual drink for on-premises consumption has been authorized. A
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1 separate license shall be required for each place of business. No
2 mixed beverage license shall be issued for any place of business
3 functioning as a motion picture theater, as defined by Section 506
4 of this title.

5 J. A bottle club license shall authorize the holder thereof:
6 To store, possess and mix alcoholic beverages belonging to members
7 of the club and to serve such alcoholic beverages for on-premises
8 consumption to club members. A bottle club license shall only be
9 issued in counties of this state where the sale of alcoholic
10 beverages by the individual drink for on-premises consumption has
11 not been authorized. A separate license shall be required for each
12 place of business.

13 K. A caterer license shall authorize the holder thereof: To
14 sell mixed beverages for on-premises consumption incidental to the
15 sale or distribution of food at particular functions, occasions, or
16 events which are temporary in nature. A caterer license shall not
17 be issued in lieu of a mixed beverage license. A caterer license
18 shall only be issued in counties of this state where the sale of
19 alcoholic beverages by the individual drink for on-premises
20 consumption has been authorized. A separate license shall be
21 required for each place of business.

22 L. 1. An annual special event license shall authorize the
23 holder thereof: To sell and distribute mixed beverages for
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1 consumption on the premises for which the license has been issued
2 for up to four events to be held over a period not to exceed one (1)
3 year, not to exceed two such events in any three-month period. For
4 purposes of this paragraph, an event shall not exceed a period of
5 ten (10) consecutive days. An annual special event license shall
6 only be issued in counties of this state where the sale of alcoholic
7 beverages by the individual drink for on-premises consumption has
8 been authorized. The holder of an annual special event license
9 shall provide written notice to the ABLE Commission of each special
10 event not less than ten (10) days before the event is held.

11 2. A quarterly special event license shall authorize the holder
12 thereof: To sell and distribute mixed beverages for consumption on
13 the premises for which the license has been issued for up to three
14 events to be held over a period not to exceed three (3) months. For
15 purposes of this paragraph, an event shall not exceed a period of
16 ten (10) consecutive days. A quarterly special event license shall
17 only be issued in counties of this state where the sale of alcoholic
18 beverages by the individual drink for on-premises consumption has
19 been authorized. The holder of a quarterly special event license
20 shall provide written notice to the ABLE Commission of each special
21 event not less than ten (10) days before the event is held.

22 M. A hotel beverage license shall authorize the holder thereof:
23 To sell or serve alcoholic beverages in 50 milliliter spirits, 187

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1 milliliter wine, and 12-ounce malt beverage containers which are
2 distributed from a hotel room mini-bar. A hotel beverage license
3 shall only be issued in counties of this state where the sale of
4 alcoholic beverages by the individual drink for on-premises
5 consumption has been authorized. A hotel beverage license shall
6 only be issued to a hotel or motel as defined by Section 506 of this
7 title which is also the holder of a mixed beverage license.
8 Provided, that application may be made simultaneously for both such
9 licenses. A separate license shall be required for each place of
10 business.

11 N. An airline/railroad beverage license shall authorize the
12 holder thereof: To sell or serve alcoholic beverages in or from any
13 size container on a commercial passenger airplane or railroad
14 operated in compliance with a valid license, permit or certificate
15 issued under the authority of the United States or this state, even
16 though the airplane or train, in the course of its travel, may cross
17 an area in which the sale of alcoholic beverages by the individual
18 drink is not authorized and to store alcoholic beverages in sealed
19 containers of any size at any airport or station regularly served by
20 the licensee, in accordance with rules promulgated by the Alcoholic
21 Beverage Laws Enforcement Commission. Alcoholic beverages purchased
22 by the holder of an airline/railroad license from the holder of a
23 wholesaler license shall be presumed to be purchased for consumption

1 outside the State of Oklahoma or in interstate commerce, and shall
2 be exempt from the excise tax provided for in Section 553 of this
3 title.

4 O. An agent license shall authorize the holder thereof: To
5 represent only the holders of licenses within this state, other than
6 retailers, authorized to sell alcoholic beverages to retail dealers
7 in Oklahoma, and to solicit and to take orders for the purchase of
8 alcoholic beverages from retailers including licensees authorized to
9 sell alcoholic beverages by the individual drink for on-premises
10 consumption. Such license shall be issued only to agents and
11 employees of the holder of a license under the Oklahoma Alcoholic
12 Beverage Control Act, Section 502 et seq. of this title but no such
13 license shall be required of an employee making sales of alcoholic
14 beverages on licensed premises of the employee's principal. No
15 person holding an agent license shall be entitled to a manufacturers
16 agent license.

17 P. An employee license shall authorize the holder thereof: To
18 work in a package store, mixed beverage establishment, bottle club,
19 or any establishment where alcohol or alcoholic beverages are sold,
20 mixed, or served. Persons employed by a mixed beverage licensee or
21 a bottle club who do not participate in the service, mixing, or sale
22 of mixed beverages shall not be required to have an employee
23 license. Provided, however, that a manager employed by a mixed
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1 beverage licensee or a bottle club shall be required to have an
2 employee license whether or not the manager participates in the
3 service, mixing or sale of mixed beverages. Applicants for an
4 employee license must have a health card issued by the county in
5 which they are employed, if the county issues such a card.

6 Employees of special event, caterer or airline/railroad beverage
7 licensees shall not be required to obtain an employee license.

8 Persons employed by a hotel licensee who participate in the stocking
9 of hotel room mini-bars or in the handling of alcoholic beverages to
10 be placed in such devices shall be required to have an employee
11 license.

12 Q. An industrial license may be issued to persons desiring to
13 import, transport, and use alcohol for the following purposes:

14 1. Manufacture of patent, proprietary, medicinal,
15 pharmaceutical, antiseptic, and toilet preparations;

16 2. Manufacture of extracts, syrups, condiments, and food
17 products; and

18 3. For use in scientific, chemical, mechanical, industrial, and
19 medicinal products and purposes.

20 No other provisions of the Oklahoma Alcoholic Beverage Control
21 Act shall apply to alcohol intended for industrial, medical,
22 mechanical, or scientific use.

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1 Any person receiving alcohol under authority of an industrial
2 license who shall use, permit, or cause same to be used for purposes
3 other than authorized purposes specified above, and all such
4 alcohol, shall be liable to all provisions of the Oklahoma Alcoholic
5 Beverage Control Act, including payment of tax thereon.

6 No provisions of the Oklahoma Alcoholic Beverage Control Act
7 shall apply to alcohol withdrawn by any person free of federal tax
8 under a tax-free permit issued by the United States government, if
9 such alcohol is received, stored, and used as authorized by federal
10 laws.

11 R. A carrier license may be issued to any common carrier
12 operating under a certificate of convenience and necessity issued by
13 any duly authorized federal or state regulatory agency. Such
14 license shall authorize the holder thereof to transport alcoholic
15 beverages other than wine sold directly by a winemaker or winery to
16 a retail package store or restaurant into, within, and out of this
17 state under such terms, conditions, limitations, and restrictions as
18 the ABLE Commission may prescribe by order issuing such license and
19 by regulations.

20 S. A private carrier license may be issued to any carrier other
21 than a common carrier described in subsection ~~Q~~ R of this section.
22 Such license shall authorize the holder thereof to transport
23 alcoholic beverages other than wine sold directly by a winemaker or
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1 winery to a retail package store or restaurant into, within, or out
2 of this state under such terms, conditions, limitations, and
3 restrictions as the ABLE Commission may prescribe by order issuing
4 such license and by regulations. No carrier license or private
5 carrier license shall be required of licensed brewers, distillers,
6 winemakers, rectifiers, wholesalers, or Class B wholesalers, to
7 transport alcoholic beverages from the place of purchase or
8 acquisition to the licensed premises of such licensees and from such
9 licensed premises to the licensed premises of the purchaser in
10 vehicles owned or leased by such licensee when such transportation
11 is for a lawful purpose and not for hire.

12 No carrier license or private carrier license shall be required
13 of the holder of a package store, mixed beverage, caterer, special
14 event, hotel beverage or airline/railroad license to pick up
15 alcoholic beverage orders from the licensees' wholesaler or Class B
16 wholesaler from whom they are purchased, and to transport such
17 alcoholic beverages from the place of purchase or acquisition to the
18 licensed premise of such licensees in vehicles owned or under the
19 control of such licensee or a licensed employee of such licensee
20 under such terms, conditions, limitations and restrictions as the
21 ABLE Commission may prescribe.

22 T. A bonded warehouse license shall authorize the holder
23 thereof: To receive and store alcoholic beverages for the holders

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1 of storage licenses on the licensed premises of the bonded warehouse
2 licensee. No goods, wares or merchandise other than alcoholic
3 beverages may be stored in the same bonded warehouse with alcoholic
4 beverages. The holder of a bonded warehouse license shall furnish
5 and file with the ABLE Commission a bond running to all bailers of
6 alcoholic beverages under proper storage licenses and their
7 assignees (including mortgagees or other bona fide lienholders)
8 conditioned upon faithful performance of the terms and conditions of
9 such bailments.

10 U. A storage license may be issued to a holder of a brewer,
11 distiller, winemaker, rectifier, wholesaler, Class B wholesaler,
12 nonresident seller, package store, mixed beverage, caterer, or hotel
13 beverage license, and shall authorize the holder thereof: To store
14 alcoholic beverages in a public warehouse holding a bonded warehouse
15 license, and no goods, wares or merchandise other than alcoholic
16 beverages may be stored in the same warehouse with alcoholic
17 beverages in private warehouses owned or leased and operated by such
18 licensees elsewhere than on their licensed premises. Provided:

19 1. A storage license issued to a Class B wholesaler shall
20 permit the storage of light beer and permit the sale and delivery to
21 retailers from the premises covered by such license;

22 2. Any licensee who is the holder of a mixed beverage/caterer
23 combination license or the holder of a mixed beverage license and a
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1 hotel beverage license who is issued a storage license shall store
2 all inventories of alcoholic beverages either on the premises of the
3 mixed beverage establishment or in the warehouse;

4 3. A storage license shall not be required for a special event
5 licensee storing alcoholic beverages for use at a subsequent event;
6 and

7 4. Notwithstanding the provisions of subsection H of this
8 section or any other provision of this title, a licensee who wholly
9 owns more than one licensed mixed beverage establishment may store
10 alcoholic beverages for each of the licensed establishments in one
11 location under one storage license. Alcoholic beverages purchased
12 and stored pursuant to the provisions of a storage license, for one
13 licensed mixed beverage establishment may be transferred by a
14 licensee to another licensed mixed beverage establishment which is
15 wholly owned by the same licensee. Notice of such a transfer shall
16 be given in writing to the Oklahoma Tax Commission and the ABLE
17 Commission within three (3) business days of the transfer. The
18 notice shall clearly show the quantity, brand and size of every
19 transferred bottle or case.

20 V. A sacramental wine supplier license shall authorize the
21 holder thereof: To sell, ship or deliver sacramental wine to any
22 religious corporation or society of this state holding a valid
23 exemption from taxation issued pursuant to Section 501(a) of the

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1 Internal Revenue Code, 1986, and listed as an exempt organization in
2 Section 501(c)(3) of the Internal Revenue Code, 1986, of the United
3 States, as amended.

4 W. A beer and wine license shall authorize the holder thereof:
5 To purchase beer and wine in retail containers from the holder of a
6 wholesaler or Class B wholesaler license or as specifically provided
7 by law and to sell, offer for sale and possess beer and wine for on-
8 premises consumption only; provided, the holder of a beer and wine
9 license issued for an establishment which is also a restaurant may
10 purchase wine from a winemaker who is permitted and has elected to
11 self-distribute as provided in Section 3 of Article XXVIII of the
12 Oklahoma Constitution.

13 Sales and service of beer and wine by holders of beer and wine
14 licenses shall be limited to the licensed premises of the licensee
15 unless the holder of the beer and wine license also obtains a
16 caterer license. A beer and wine license shall only be issued in
17 counties of this state where the sale of alcoholic beverages by the
18 individual drink for on-premises consumption has been authorized. A
19 separate license shall be required for each place of business. No
20 beer and wine license shall be issued for any place of business
21 functioning as a motion picture theater, as defined by Section 506
22 of this title. No spirits shall be stored, possessed or consumed on
23 the licensed premises of a beer and wine licensee.

1 X. A charitable ~~auction, charitable wine event or charitable~~
2 ~~beer~~ event license may be issued to a charitable organization exempt
3 from taxation under Section 501(c) (3), (4), (5), (7), (8), (9),
4 (10), or (19) of the United States Internal Revenue Code. The
5 charitable ~~wine~~ event license ~~or charitable beer event license~~ shall
6 authorize the holder thereof to conduct ~~a wine or beer~~ an event
7 ~~which~~ with wine, beer or both wine and beer which may consist of ~~one~~
8 ~~or more~~ of a ~~wine or beer~~ tasting event, a ~~wine or beer~~ dinner event
9 ~~or a wine or beer,~~ an auction, ~~which~~ or any combination thereof.
10 The auction may be either a live auction conducted by an auctioneer
11 or a silent auction for which:

12 1. Bid sheets are accepted from interested bidders at the
13 event;

14 2. The holders of tickets are allowed to bid online for a
15 period not exceeding thirty (30) days prior to the event; or

16 3. Both bid sheets are accepted at the event and online bids
17 are accepted pursuant to paragraph 2 of this subsection.

18 A charitable ~~wine or charitable beer~~ event shall be conducted
19 solely to raise funds for charitable purposes. Wine or beer used
20 in, served, or consumed at a charitable ~~wine or beer~~ event may be
21 purchased by the charitable organization or donated by any person or
22 entity. The charitable ~~wine event license or charitable beer~~ event
23 license shall be issued for a period not exceeding four (4) days.

1 Only one such license may be issued to an organization in any
2 twelve-month period. The charitable organization holding a
3 charitable ~~wine event license or charitable beer~~ event license shall
4 not be required to obtain a special event license. The charitable
5 ~~auction~~ event license shall authorize the holder thereof to auction
6 wine purchased from a retail package store or received as a gift
7 from an individual if the auction is conducted to raise funds for
8 charitable purposes. ~~The charitable auction license shall be issued~~
9 ~~for a period not to exceed two (2) days.~~ Only one such license
10 shall be issued to an organization in any twelve-month period. The
11 maximum amount of wine auctioned pursuant to the charitable ~~auction~~
12 event license shall not exceed fifty (50) gallons. The maximum
13 amount of beer auctioned pursuant to the charitable event license
14 shall not exceed five hundred (500) gallons. All wines and beers
15 auctioned pursuant to the charitable ~~auction~~ event license shall be
16 registered and all fees and taxes shall be paid in accordance with
17 the Oklahoma Alcoholic Beverage Control Act.

18 Y. A mixed beverage/caterer combination license shall authorize
19 the holder thereof: To purchase or sell mixed beverages as
20 specifically provided by law for the holder of a mixed beverage
21 license or a caterer license. All provisions of the Oklahoma
22 Alcoholic Beverage Control Act applicable to mixed beverage licenses
23 or caterer licenses, or the holders thereof, shall also be

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1 applicable to mixed beverage/caterer combination licenses or the
2 holders thereof, except where specifically otherwise provided. A
3 mixed beverage/caterer combination license shall only be issued in
4 counties of this state where the sale of alcoholic beverages by the
5 individual drink for on-premises consumption has been authorized. A
6 separate license shall be required for each place of business.

7 Z. In the event any portion of this section is declared invalid
8 for any reason, the invalid portion shall be severed and the rest
9 and remainder of the section shall be saved and given full force and
10 application.

11 SECTION 2. This act shall become effective July 1, 2012.

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

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17 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
18 02/23/2012 - DO PASS, As Coauthored.

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