

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 HOUSE JOINT
5 RESOLUTION 1015

By: Schwartz of the House

and

Jolley of the Senate

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9 AS INTRODUCED

10 A Joint Resolution directing the Secretary of State
11 to refer to the people for their approval or
12 rejection a proposed amendment to Sections 3 and 4 of
13 Article XXVIII of the Constitution of the State of
14 Oklahoma; authorizing the sale of certain
15 nonalcoholic beverages and wine and spirit
16 accessories; providing ballot title; and directing
17 filing.

18 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
19 1ST SESSION OF THE 53RD OKLAHOMA LEGISLATURE:

20 SECTION 1. The Secretary of State shall refer to the people for
21 their approval or rejection, as and in the manner provided by law,
22 the following proposed amendment to Section 4 of Article XXVIII of
23 the Constitution of the State of Oklahoma to read as follows:

24 Section 4. Except as hereinafter provided, retail sales of
alcoholic beverages shall be limited to the original sealed package,

1 by privately owned and operated package stores, in cities and towns
2 having a population in excess of two hundred (200) persons or by
3 wineries; provided that wineries shall be able to sell only wine
4 which has been produced on the winery premises. ~~Ne~~ Nonalcoholic
5 beverages designed to be mixed with alcoholic beverages, bottle
6 openers, cork screws and other wine and spirit accessories may be
7 sold on the premises of retail package stores but no other goods,
8 wares, or merchandise shall be sold and no services shall be
9 rendered on the same premises on which retail package alcoholic
10 beverages are sold. Said premises are herein defined to be the
11 entire space in which retail package alcoholic beverages are sold or
12 displayed and said premises must be separated from any premises on
13 which any other goods, wares, or merchandise are sold or services
14 rendered by walls which may only be broken by a passageway to which
15 the public is not admitted; provided, the restriction on the sale of
16 merchandise and rendering of services shall not apply to the
17 premises of a winery.

18 Not more than one retail package license shall be issued to any
19 person or general or limited partnership.

20 Retail sale of alcoholic beverages by the individual drink for
21 on-premises consumption is hereby authorized within a county if the
22 voters of such county have previously approved such retail sale at
23 an election.

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1 SECTION 2. The Ballot Title for the proposed Constitutional
2 amendment as set forth in SECTION 1 of this resolution shall be in
3 the following form:

4 BALLOT TITLE

5 Legislative Referendum No. _____ State Question No. _____

6 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

7 This measure amends the Oklahoma Constitution. The changes
8 would let stores that sell liquor sell other things. This would
9 mean that liquor stores could sell nonalcoholic items. The
10 changes would let liquor stores sell nonalcoholic beverages
11 designed to be mixed with alcoholic beverages. It would also
12 allow liquor stores to sell wine and spirit accessories. The
13 Legislature would write laws on this.

14 SHALL THE PROPOSAL BE APPROVED?

15 FOR THE PROPOSAL - YES _____

16 AGAINST THE PROPOSAL - NO _____

17 SECTION 3. The Chief Clerk of the House of Representatives,
18 immediately after the passage of this resolution, shall prepare and
19 file one copy thereof, including the Ballot Title set forth in
20 SECTION 2 hereof, with the Secretary of State and one copy with the
21 Attorney General.

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23 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/22/2012 - DO PASS,
24 As Coauthored.