

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 HOUSE BILL 2958

By: Christian

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6 AS INTRODUCED

7 An Act relating to intoxicating liquors; requiring
8 licensees to maintain liability insurance; specifying
9 requirement; directing the Alcoholic Beverage Law
10 Enforcement Commission to promulgate rules; providing
11 for the creation of certain form; specifying contents
12 of form; requiring annual renewal of form; requiring
13 licensees to maintain form; providing that failure to
14 comply shall be grounds for suspension or revocation;
15 providing for codification; and providing an
16 effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 537.4 of Title 37, unless there
20 is created a duplication in numbering, reads as follows:

21 A. Mixed beverage, caterer, mixed beverage/caterer combination
22 and bottle club licensees shall maintain liability insurance
23 coverage of at least Three Hundred Fifty Thousand Dollars
24 (\$350,000.00) for each occurrence of personal injury or property
damage resulting from a violation of paragraph 1 or 2 of subsection
A of Section 537 of Title 37 of the Oklahoma Statutes by the
licensee or any employee, manager, operator or agent thereof.

1 B. The Alcoholic Beverage Law Enforcement Commission shall
2 promulgate rules for audit and enforcement of this section to ensure
3 compliance and provide for a standard form to be signed and dated by
4 an insurance agent licensed in this state stating that the licensee
5 has an unexpired and uncanceled insurance policy or contract of at
6 least Three Hundred Fifty Thousand Dollars (\$350,000.00) that meets
7 the requirements of this section. The form shall also provide
8 verification stating that the policy premium has been paid in
9 advance for a time period of at least twelve (12) months or until
10 the time of the licensee's annual renewal. This form shall be
11 completed annually and submitted to the ABLE Commission on or before
12 the licensee's license issue or renewal. A copy of the form shall
13 be maintained by the licensee and, upon request, the form shall be
14 made available to the ABLE Commission during any investigation or
15 audit to determine compliance with licensing requirements.

16 C. Failure by a licensee to comply with the provisions of this
17 section shall be grounds for immediate suspension or revocation of
18 the license under the Oklahoma Alcoholic Beverage Control Act.

19 SECTION 2. This act shall become effective November 1, 2012.
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21 53-2-8857 SDR 01/09/12
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