

STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1937

By: Treat

AS INTRODUCED

An Act relating to alcoholic beverage license; amending 37 O.S. 2011, Section 518, which relates to annual fee for license; modifying language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 37 O.S. 2011, Section 518, is amended to read as follows:

Section 518. A. Except as otherwise provided in this section, ~~the~~ licenses issued by the Alcoholic Beverage Laws Enforcement Commission, and ~~the~~ annual fees therefor, shall be as follows:

- 1. Brewer License..... \$1,250.00
- 2. Oklahoma Brewer License..... \$125.00
- 3. Distiller License
  - a. For each fiscal year ending after June 30, 2010..... \$3,125.00
  - b. For the fiscal years ending June 30, 2008, 2009 and 2010..... \$1,250.00
- 4. Winemaker License..... \$625.00

- 1 5. Oklahoma Winemaker License..... \$75.00
- 2 6. Rectifier License
- 3 a. For each fiscal year ending
- 4 after June 30, 2010..... \$3,125.00
- 5 b. For the fiscal years ending
- 6 June 30, 2008, 2009 and 2010..... \$1,250.00
- 7 7. Wholesaler License..... \$3,500.00
- 8 8. Class B Wholesaler License..... \$625.00
- 9 9. The following package store license fees shall
- 10 be determined by the latest Federal Decennial
- 11 Census:
- 12 a. Package Store License for cities
- 13 and towns from 200 to 2,500
- 14 population..... \$305.00
- 15 b. Package Store License for cities
- 16 and towns from 2,501 to 5,000
- 17 population..... \$605.00
- 18 c. Package Store License for cities
- 19 and towns over 5,000 population..... \$905.00
- 20 10. Mixed Beverage License..... \$1,005.00
- 21 (initial license)
- 22 \$905.00
- 23 (renewal)
- 24 11. Mixed Beverage/Caterer Combination License..... \$1,250.00

1	12.	Beer and Wine License.....	\$500.00
2			(initial license)
3			\$450.00
4			(renewal)
5	13.	Bottle Club License.....	\$1,000.00
6			(initial license)
7			\$900.00
8			(renewal)
9	14.	Caterer License.....	\$1,005.00
10			(initial license)
11			\$905.00
12			(renewal)
13	15.	Annual Special Event License.....	\$55.00
14	16.	Quarterly Special Event License.....	\$55.00
15	17.	Hotel Beverage License.....	\$1,005.00
16			(initial license)
17			\$905.00
18			(renewal)
19	18.	Airline/Railroad Beverage License.....	\$1,005.00
20			(initial license)
21			\$905.00
22			(renewal)
23	19.	Agent License.....	\$55.00
24	20.	Employee License.....	\$30.00

- 1 21. Industrial License..... \$23.00
- 2 22. Carrier License..... \$23.00
- 3 23. Private Carrier License..... \$23.00
- 4 24. Bonded Warehouse License..... \$190.00
- 5 25. Storage License..... \$23.00
- 6 26. Nonresident Seller License..... \$750.00
- 7 27. Manufacturers Agent License..... \$55.00
- 8 28. Sacramental Wine Supplier License..... \$100.00
- 9 29. Charitable Auction License..... \$1.00
- 10 30. Winemaker Self-distribution License..... \$750.00

11 There shall be added to the initial or renewal fees for a Mixed  
12 Beverage License an administrative fee, which shall not be deemed to  
13 be a license fee, in the amount of Five Hundred Dollars (\$500.00),  
14 which shall be paid at the same time and in the same manner as the  
15 license fees prescribed by paragraph 10 of this subsection;  
16 provided, this fee shall not be assessed against service  
17 organizations or fraternal beneficiary societies which are exempt  
18 under Section 501(c) (19), (8) or (10) of the Internal Revenue Code.  
19 There shall be added to the fee for a Mixed Beverage/Caterer  
20 Combination License an administrative fee, which shall not be deemed  
21 to be a license fee, in the amount of Two Hundred Fifty Dollars  
22 (\$250.00), which shall be paid at the same time and in the same  
23 manner as the license fee prescribed by paragraph 11 of this  
24 subsection.

1 B. Notwithstanding the provisions of subsection A of this  
2 section:

3 1. The license fee for a mixed beverage or bottle club license  
4 for those service organizations or fraternal beneficiary societies  
5 which are exempt under Section 501(c)(19), (8) or (10) of the  
6 Internal Revenue Code shall be Five Hundred Dollars (\$500.00) per  
7 year;

8 2. The fees provided for in subsection A of this section for a  
9 brewer license and for a Class B wholesaler license shall be reduced  
10 by seventy-five percent (75%) if the applicant therefor is also the  
11 holder of a license to manufacture or wholesale any low-point beer  
12 as provided for in this title; and

13 3. The renewal fee for an airline/railroad beverage license  
14 held by a railroad described in 49 U.S.C., Section 24301, shall be  
15 One Hundred Dollars (\$100.00).

16 C. An applicant may apply for and receive both a beer and wine  
17 license and a caterer license.

18 D. All licenses, except as otherwise provided, shall be valid  
19 for one (1) year from date of issuance unless revoked or  
20 surrendered. Provided, all employee licenses issued on or after  
21 September 1, 1993, shall be valid for two (2) years.

22 E. The holder of a license, issued by the ABLE Commission, for  
23 a bottle club located in a county of this state where the sale of  
24 alcoholic beverages by the individual drink for on-premises

1 consumption has been authorized, may exchange the bottle club  
2 license for a mixed beverage license or a beer and wine license and  
3 operate the licensed premises as a mixed beverage establishment or a  
4 beer and wine establishment subject to the provisions of the  
5 Oklahoma Alcoholic Beverage Control Act. There shall be no  
6 additional fee for such exchange and the mixed beverage license or  
7 beer and wine license issued shall expire one (1) year from the date  
8 of issuance of the original bottle club license.

9 F. In addition to the applicable licensing fee, the following  
10 surcharge shall be assessed annually on the following licenses:

- 11 1. Nonresident Seller..... \$2,500.00
- 12 2. Wholesaler..... \$2,500.00
- 13 3. Class B Wholesaler without an active low-point  
14 beer license..... \$1,000.00
- 15 4. Class B Wholesaler with an active low-point  
16 beer license..... \$1,500.00
- 17 5. Package Store for cities and towns over 5,000  
18 population..... \$250.00
- 19 6. Package Store for cities and towns from 2,501  
20 to 5,000 population..... \$200.00
- 21 7. Package Store for cities and towns from 200 to  
22 2,500 population..... \$150.00
- 23 8. Mixed Beverage..... \$25.00
- 24 9. Mixed Beverage/Caterer Combination..... \$25.00

1 10. Caterer..... \$25.00

2 11. Beer and Wine..... \$25.00

3 The surcharge shall be paid concurrent with the licensee's  
4 annual licensing fee and shall be deposited in the ABLE Commission  
5 Revolving Fund established pursuant to Section 567 of this title.

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

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

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