

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 HOUSE JOINT
5 RESOLUTION 1041

By: Schwartz of the House

and

Johnson (Rob) 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 Section 4 of
13 Article XXVIII of the Constitution of the State of
14 Oklahoma; authorizing the sale of certain beer, wine
15 and spirit accessories; providing ballot title; and
16 directing filing.

17 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
18 1ST SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

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

23 Section 4. Except as hereinafter provided, retail sales of
24 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. ~~No~~ Bottle openers,
5 corkscrews and other beer, wine and spirit accessories may be sold
6 on the premises of retail package stores but no other goods, wares,
7 or merchandise shall be sold and no services shall be rendered on
8 the same premises on which retail package alcoholic beverages are
9 sold. Said premises are herein defined to be the entire space in
10 which retail package alcoholic beverages are sold or displayed and
11 said premises must be separated from any premises on which any other
12 goods, wares, or merchandise are sold or services rendered by walls
13 which may only be broken by a passageway to which the public is not
14 admitted; provided, the restriction on the sale of merchandise and
15 rendering of services shall not apply to the premises of a winery.

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

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

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

BALLOT TITLE

Legislative Referendum No. _____ State Question No. _____

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends the Oklahoma Constitution. The changes would let stores that sell liquor sell other things. This would mean that liquor stores could sell nonalcoholic items. The changes would let liquor stores sell beer, wine and spirit accessories. The Legislature would write laws on this.

SHALL THE PROPOSAL BE APPROVED?

FOR THE PROPOSAL - YES _____

AGAINST THE PROPOSAL - NO _____

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

COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND FINANCIAL SERVICES, dated 02/21/2013 - DO PASS, As Coauthored.