

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 425

By: Holt of the Senate

3 and

4 Grau of the House

5
6
7 An Act relating to intoxicating liquor; amending 37
8 O.S. 2011, Section 506, as amended by Section 1,
9 Chapter 298, O.S.L. 2014, 521, as last amended by
10 Section 4, Chapter 298, O.S.L. 2014, 523, as amended
11 by Section 5, Chapter 298, O.S.L. 2014, 523.1, 523.2,
12 535, as amended by Section 9, Chapter 298, O.S.L.
13 2014, 537.1, as amended by Section 13, Chapter 298,
14 O.S.L. 2014, 554, 577, as amended by Section 19,
15 Chapter 298, O.S.L. 2014, 591, as amended by Section
16 24, Chapter 298, O.S.L. 2014, 594 and 596, as amended
17 by Section 25, Chapter 298, O.S.L. 2014 (37 O.S.
18 Supp. 2014, Sections 506, 521, 523, 535, 537.1, 577,
19 591 and 596), which relate to definitions, authorized
20 acts, issuance of licenses, application for
21 licensure, special event licenses, exemptions from
22 excise tax, limitation on distribution, caterer
23 license, and responsibility for violations; ***
24 exempting certain beverages from certain taxes;
prohibiting dispensing certain beverages by
charitable event at certain times; making charitable
event licensee responsible for certain violations;
making gender neutral; and providing an effective
date.

20 AMENDMENT NO. 1. Page 45, Line 15, add a new Section 6 to read

21 "SECTION 6. AMENDATORY 37 O.S. 2011, Section 527.1, as
22 amended by Section 6, Chapter 298, O.S.L. 2014 (37 O.S. Supp. 2014,
23 Section 527.1), is amended to read as follows:
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1 Section 527.1 A. The Alcoholic Beverage Laws Enforcement
2 Commission shall refuse to issue a mixed beverage, beer and wine,
3 bottle club, public event or caterer license, either on an original
4 application or a renewal application, if it has reasonable grounds
5 to believe and finds any of the following to be true:

6 1. That the applicant, in the case of a natural person, is
7 under twenty-one (21) years of age;

8 2. That the applicant, in the case of a corporation, has a
9 stockholder who owns fifteen percent (15%) or more of the stock,
10 officer, or director who is under twenty-one (21) years of age;

11 3. That the applicant, in the case of any type of partnership,
12 has any partner who is under twenty-one (21) years of age;

13 4. That the applicant, in the case of a limited liability
14 company, has a manager or member who is under twenty-one (21) years
15 of age;

16 5. That the applicant or any type of partner has been convicted
17 of a felony within fifteen (15) years prior to the application date;

18 6. That the applicant, in the case of a corporation, has a
19 stockholder owning fifteen percent (15%) of the stock, an officer or
20 a director who has been convicted of a felony within fifteen (15)
21 years prior to the application date;

22 7. That the applicant, in the case of a limited liability
23 company, has a manager or a member who has been convicted of a
24 felony within fifteen (15) years prior to the application date, and

1 such manager or member has an ownership interest greater than fifty
2 percent (50%);

3 8. That the applicant has made false statements to the ABLE
4 Commission;

5 9. That the applicant is not the legitimate owner of the
6 business for which a license is sought or that other persons have
7 undisclosed ownership interests in the business;

8 10. That the applicant or any partner, within twelve (12)
9 months after being issued a license, either on an original
10 application or a renewal application, has violated any provision of
11 the Oklahoma Alcoholic Beverage Control Act or regulation of the
12 ABLE Commission issued pursuant hereto. Provided, however, that if
13 the ABLE Commission, during said twelve-month period, has suspended
14 any license sought to be renewed, such renewal application may be
15 approved if the term of the suspension has been completed and the
16 applicant has complied with any special conditions imposed in
17 connection with the suspension;

18 11. That the applicant is not the real party in interest, or
19 intends to carry on the business authorized by the license as the
20 agent of another;

21 12. That the applicant is a person who appoints or is a law
22 enforcement official or is an employee of the ABLE Commission or of
23 the Director; or
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1 13. That the applicant does not own or have a written lease for
2 the premises for which a license is sought.

3 B. 1. The Alcoholic Beverage Laws Enforcement Commission may
4 refuse to issue a mixed beverage, beer and wine, bottle club, public
5 event or caterer license, either on an original application or a
6 renewal application, if it has reasonable grounds to believe and
7 finds any of the following to be true:

8 a. that the applicant or any type of partner has been
9 convicted of a felony described in paragraph 2 of this
10 subsection,

11 b. that the applicant, in the case of a corporation, has
12 a stockholder owning fifteen percent (15%) of the
13 stock, an officer or a director who has been convicted
14 of a felony described in paragraph 2 of this
15 subsection, and

16 c. that the applicant, in the case of a limited liability
17 company, has a manager or a member who has been
18 convicted of a felony within twenty-five (25) years
19 prior to the application date, who has been convicted
20 of a felony described in paragraph 2 of this
21 subsection.

22 2. a. an alcohol-related offense,

23 b. a violent crime as defined in Section 142A-1 of Title
24 21 of the Oklahoma Statutes, or

