

FLOOR AMENDMENT  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2840  
Page 1 Section 1 Lines 15  
Of the printed Bill  
Of the Engrossed Bill

By deleting Section 1 and inserting in lieu thereof a new Section 1 to read as follows:

[INSERT ATTACHED]

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: \_\_\_\_\_

Amendment submitted by: Jon Echols \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 "SECTION 1. AMENDATORY 37 O.S. 2011, Section 537.1, as  
2 last amended by Section 8, Chapter 275, O.S.L. 2015 (37 O.S. Supp.  
3 2015, Section 537.1), is amended to read as follows:

4 Section 537.1 No mixed beverage, beer and wine, bottle club,  
5 caterer, charitable event, public event or special event licensee or  
6 any employee, manager, operator or agent thereof shall:

7 1. Consume or be under the influence of alcoholic beverages  
8 during the hours he or she is on duty. For the purposes of this  
9 section, licensees will be deemed to be on duty from the time the  
10 licensee first comes on duty until the time the licensee goes off  
11 duty at the end of the shift, including any break periods permitted  
12 by management. This paragraph shall not apply to any person who  
13 works on the premises as an entertainer only;

14 2. Permit or tolerate any conduct or language which is intended  
15 to threaten another with physical harm or any fighting or offensive  
16 physical contact, in or upon the licensed premises or areas just  
17 outside the licensed premises which are controlled by the licensee;

18 3. Permit empty or discarded alcoholic beverage containers to  
19 be in public view outside the licensed premises. All empty or  
20 discarded containers shall be disposed of in accordance with ABLE  
21 Commission rules and regulations;

22 4. Permit any illegal gambling activity, violations of the  
23 state narcotic and dangerous drug laws, or prostitution activity or  
24 any other criminal conduct to occur on the licensed premises;

1           5. Refuse or fail to promptly open a door to the licensed  
2 premises upon request of an agent or inspector of the Alcoholic  
3 Beverage Laws Enforcement Commission or any other peace officer to  
4 enter the premises, when the licensee or employee knows or should  
5 know that such request is made by an agent or inspector of the ABLE  
6 Commission or any other peace officer. This provision shall not be  
7 construed to deny agents of the ABLE Commission or any other peace  
8 officer access at any time to any licensed premises;

9           6. Permit a sealed or unsealed container of alcoholic beverage  
10 to be removed from the licensed premises. Provided that  
11 restaurants, hotels, and motels may permit the removal of closed  
12 original wine containers the contents of which have been partially  
13 consumed and bottle clubs may permit the removal by a club member of  
14 closed original containers of alcoholic beverages belonging to said  
15 members. The provisions of this paragraph shall not be construed to  
16 prohibit or restrict:

17           a. hotels or motels who are holders of mixed beverage or  
18 beer and wine licenses from allowing alcoholic  
19 beverages to be served away from the bar area anywhere  
20 on the licensed premises, ~~or~~

21           b. licensees, who are lawfully operating ~~at an event held~~  
22 in a facility or on property owned or operated by any  
23 agency, political subdivision or public trust of this  
24 state, from allowing persons to transport alcoholic

1 beverages from one licensed premises to another within  
2 the same building or property, provided that the  
3 building or property or a part thereof is defined as a  
4 common drinking area for consumption of alcohol by  
5 resolution of the governing body of the agency,  
6 political subdivision or public trust of this state,  
7 or

8 c. licensees, who are licensed to operate in a facility  
9 or on property owned or operated by any agency,  
10 political subdivision or public trust of this state,  
11 from allowing other licensees to operate on their  
12 licensed premises for events that are temporary in  
13 nature. In the event that multiple licensees are  
14 operating in a facility or on property owned or  
15 operated by any agency, political subdivision or  
16 public trust of this state, each licensee shall be  
17 responsible for violations occurring in their area  
18 designated to be their temporary licensed premises; or

19 7. Destroy, damage, alter, remove or conceal potential  
20 evidence, or attempt to do so, or refuse to surrender evidence when  
21 lawfully requested to do so by an inspector, agent or any other  
22 peace officer or incite another person to do any of the above."  
23

24 55-2-9443

JM

03/03/16