

1 ENGROSSED SENATE
2 BILL NO. 297

By: Bice of the Senate

3 and

4 Mulready of the House
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7 An Act relating to alcoholic beverages; amending
8 Section 43, Chapter 366, O.S.L. 2016 (37A O.S. Supp.
9 2016, Section 2-131), which relates to small farm
winery licenses; modifying acts authorized by small
farm winery license; and providing an effective date.

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

13 SECTION 1. AMENDATORY Section 43, Chapter 366, O.S.L.
14 2016 (37A O.S. Supp. 2016, Section 2-131), is amended to read as
15 follows:

16 Section 2-131. A. A small farm winery license shall authorize
17 the holder thereof:

18 1. To manufacture and bottle wines produced by that small farm
19 winery; ~~and~~

20 2. To bottle and sell wines produced by another small farm
21 winery. In order for a small farm winery to bottle and sell another
22 small farm winery's products, both the selling winery and the buying
23 winery shall be small farm winery permit holders;
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1 3. To serve free samples of wine produced by the licensee to
2 visitors twenty-one (21) years of age or older;

3 4. To sell wines produced by that small farm winery for either
4 on-premises or off-premises consumption to consumers on the small
5 farm winery premises, or premises located contiguous thereto;

6 5. To sell wine at public events such as trade shows or
7 festivals; and

8 6. To also hold a mixed beverage license, beer and wine license
9 or caterer's license.

10 B. A small farm wine may display the trademarked "Oklahoma
11 Grown" sticker available from the Oklahoma Grape Industry Council.

12 C. For purposes of subsection A of this section, no visitor may
13 sample more than a total of six (6) fluid ounces of wine per day.

14 The small farm winery shall restrict the distribution and
15 consumption of wine samples to an area within the licensed premises
16 designated by the small farm winery. A current floor plan that
17 includes the designated sampling area must be on file with the ABLE
18 Commission. No visitor under twenty-one (21) years of age shall be
19 permitted to enter this designated sampling area when samples are
20 being distributed or consumed. Samples of wine served by a small
21 farm winery under this section shall not be considered a sale of
22 wine within the meaning of Article XXVIII A of the Oklahoma
23 Constitution or Section 1-103 of this title; however, such samples
24 of wine shall be considered wine removed or withdrawn from the small

1 farm winery for use or consumption for excise tax determination and
2 reporting requirements.

3 SECTION 2. This act shall become effective October 1, 2018.

4 Passed the Senate the 22nd day of March, 2017.

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7 Presiding Officer of the Senate

8 Passed the House of Representatives the ____ day of _____,
9 2017.

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12 Presiding Officer of the House
13 of Representatives
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