

An Act

ENROLLED SENATE
BILL NO. 1336

By: Bice and Pittman of the
Senate

and

McEntire of the House

An Act relating to alcoholic beverages; amending Sections 95 and 98, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2017, Sections 3-125 and 4-101), which relate to the Alcoholic Beverage Control Act; modifying hours during which certain alcoholic beverages may be sold, dispensed, served or consumed; allowing municipalities to enact ordinances relating to hours of operation of certain premises; and providing an effective date.

SUBJECT: Alcoholic beverages

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

SECTION 1. AMENDATORY Section 95, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2017, Section 3-125), is amended to read as follows:

Section 3-125. A. No alcoholic beverages may be sold, dispensed, served or consumed on the premises of a mixed beverage, caterer, public event, charitable event, special event, on-premises beer and wine, small brewer or brewpub licensee between the hours of 2:00 a.m. and ~~10:00 a.m.~~ 8:00 a.m. Municipalities may enact ordinances requiring such premises to be closed to the public between the hours of 2:00 a.m. and 6:00 a.m.

B. Counties that elect to authorize sales of alcoholic beverages by the individual drink may designate any or all of the following days as days or portions thereof on which the sales of alcoholic beverages are not authorized:

1. On the first day of the week, commonly called Sunday; and

2. On Decoration or Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

C. Counties that elect to authorize sales of alcoholic beverages by the individual drink shall not prohibit such sales on the day of any national, state, county or city election, including primary elections, provided that the election day does not occur on any day on which such sales may otherwise be prohibited by any other law.

SECTION 2. AMENDATORY Section 98, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2017, Section 4-101), is amended to read as follows:

Section 4-101. A. Municipalities are authorized to enact ordinances consistent with the provisions of the Oklahoma Alcoholic Beverage Control Act. In municipalities with populations of thirty-five thousand (35,000) or more according to the most recent federal decennial census, these ordinances may provide for maximum penalties of fines not to exceed One Thousand Dollars (\$1,000.00) plus court costs, an imprisonment not to exceed ninety (90) days, or both such fine and imprisonment.

B. All municipalities of this state may enact ordinances prohibiting or regulating nudity or drink solicitation in establishments licensed pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act.

C. The provisions of this section shall not authorize any municipality to regulate by ordinance or issue any licenses for activities for which a license is required to be issued pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act.

D. Municipalities are authorized to enact ordinances regulating the closing time of ABLE Commission licensees who provide alcoholic

beverages for consumption on the premises; provided, no ordinance shall be enacted for premises to open later than 6:00 a.m. or close earlier than 2:00 a.m.

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

Passed the Senate the 8th day of March, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the 26th day of April, 2018.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____