

# An Act

ENROLLED SENATE  
BILL NO. 1498

By: Bice of the Senate

and

Mulready of the House

An Act relating to alcoholic beverages; amending Section 73, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2017, Section 3-103), which relates to the Alcoholic Beverage Control Act; modifying persons to whom certain notice of application must be sent; providing for consideration of political subdivision as interested party to certain proceedings and providing for right to appeal licensure; and providing an effective date.

SUBJECT: Oklahoma Alcoholic Beverage Control Act licenses

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

SECTION 1. AMENDATORY Section 73, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2017, Section 3-103), is amended to read as follows:

Section 3-103. All rules of the ABLE Commission shall be promulgated and filed pursuant to the provisions of the Administrative Procedures Act, and also shall be filed with the Secretary of State and the State Librarian pursuant to the provisions of Sections 251 through 253 of Title 75 of the Oklahoma Statutes. Copies of all rules shall be made available to each county clerk, district attorney, sheriff and chief of police in the state upon request.

The ABLE Commission shall send a notice of application for a license to sell alcohol, alcoholic beverage, wine or beer under the Oklahoma Alcoholic Beverage Control Act to the district attorney of the county wherein the premises is located at least fifteen (15) days prior to the approval or disapproval of the application.

For any applicant for a license issued pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act whose place of business for which the license is being sought is located in a city or town, the ABLE Commission shall mail a notice of application to the chief of police of the city or town, the sheriff of the county in which the city or town is located, and the district attorney of the county in which the city or town is located. The city or town may make recommendations on whether or not the applicant should be issued a license by the ABLE Commission within twenty (20) days after the date the copies of the application were mailed.

For any applicant for a license issued pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act whose place of business for which the license is being sought is located outside of the incorporated boundaries of a city or town, the ABLE Commission shall mail a notice of application to the board of county commissioners of the county in which the place of business is located, the sheriff of the county and the district attorney of the county. The board of county commissioners shall make recommendations on whether or not the applicant should be issued a license by the ABLE Commission within twenty (20) days after the date the copies of the application were mailed.

Any political subdivision which is entitled to notice of an application for a license shall be considered an interested party to the proceeding and shall be given notice of any issuance of license. The political subdivision shall be entitled to appeal any such issuance in the same manner as the applicant would be entitled to appeal a denial of the license application.

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

Passed the Senate the 13th 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: \_\_\_\_\_