

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 56th Legislature (2018)

4   ENGROSSED SENATE  
5   BILL NO. 1337

By: Bice of the Senate

and

McEntire of the House

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9       An Act relating to alcoholic beverages; amending  
10      Section 15, Chapter 366, O.S.L. 2016 (37A O.S. Supp.  
11      2017, Section 2-103), which relates to distillers'  
12      licenses; modifying acts authorized by license;  
13      updating references; and providing an effective date.

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

15       SECTION 1.       AMENDATORY       Section 15, Chapter 366, O.S.L.  
16      2016 (37A O.S. Supp. 2017, Section 2-103), is amended to read as  
17      follows:

18       Section 2-103. A distiller license shall authorize the holder  
19      thereof:

20       1. To manufacture, bottle, package and store spirits on  
21      licensed premises;

22       2. To sell spirits in this state to licensed wholesalers and  
23      manufacturers only;

1        3. To sell spirits out of this state to qualified persons; to  
2 purchase from licensed distillers and rectifiers in this state, and  
3 import spirits from without this state for manufacturing purposes in  
4 accordance with federal laws and regulations; ~~and~~

5        4. To serve free samples of spirits produced only by the  
6 licensee to visitors twenty-one (21) years of age and older. For  
7 purposes of this section, no visitor may sample more than a total of  
8 three (3) fluid ounces of spirits per day. The distiller shall  
9 restrict the distribution and consumption of spirits samples to an  
10 area within the licensed premises designated by the distiller. A  
11 current floor plan that includes the designated sampling area shall  
12 be on file with the ABLE Commission. No visitor under twenty-one  
13 (21) years of age shall be permitted to enter the designated  
14 sampling area when samples are being distributed and consumed.  
15 Samples of spirits served by a distiller under this section shall  
16 not be considered a sale of spirits within the meaning of Article  
17 XXVIII A of the Oklahoma Constitution or Section ~~3~~ 1-103 of this ~~act~~  
18 title; provided, such samples of spirits shall be considered removed  
19 or withdrawn from the distillery for use or consumption within the  
20 meaning of Section ~~113~~ 5-110 of this ~~act~~ title for excise tax  
21 determination and reporting requirements; and

22        5. To sell spirits produced by the licensee for either on-  
23 premises or off-premises consumption to consumers on the distillery  
24 premises, or on premises located contiguous thereto; and

1       6. To sell spirits at public events such as trade shows or  
2 festivals.

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

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5 COMMITTEE REPORT BY: COMMITTEE ON BANKING AND BUSINESS, dated  
6 04/04/2018 - DO PASS.  
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