

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE
5 BILL NO. 1570

By: Bice of the Senate

and

Mulready of the House

6
7
8
9 An Act relating to alcoholic beverages; amending
10 Section 102, Chapter 366, O.S.L. 2016, as amended by
11 Section 22, Chapter 364, O.S.L. 2017 (37A O.S. Supp.
12 2017, Section 4-105), which relates to county taxes;
13 modifying purpose for which county authorized to levy
14 occupational tax; and providing an effective date.

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

16 SECTION 1. AMENDATORY Section 102, Chapter 366, O.S.L.
17 2016, as amended by Section 22, Chapter 364, O.S.L. 2017 (37A O.S.
18 Supp. 2017, Section 4-105), is amended to read as follows:

19 Section 4-105. Counties are hereby authorized to levy an annual
20 occupational tax for the privilege of operating as a retailer, mixed
21 beverage, beer and wine, caterer, public event or special event
22 licensee or as a bottle club, within their respective jurisdictions
23 and not located in a municipality levying an occupation tax as
24 provided by Section 4-104 of this title, not to exceed the state
 license fee for such licensees; provided, the tax shall be levied

1 only by the county in which such licensee has its principal place of
2 business. All revenues derived from any such annual occupational
3 tax shall be deposited in the general revenue fund of the county.
4 This section shall not give any county any right to determine or
5 regulate the issuance of any license, except as specifically
6 provided for in this section, as the ABLE Commission shall have
7 exclusive authority as to issuance and regulations of licenses. No
8 county may prescribe rules or regulations in conflict with or in
9 addition to the statutes of this state or the rules of the ABLE
10 Commission. No licensee shall be held liable for engaging in
11 business otherwise authorized under this act with any other mixed
12 beverage, beer and wine, caterer, public event or special event
13 licensee or bottle club solely because such other party has failed
14 to pay any occupational tax due under this section.

15 Counties which levy an occupational tax under this section shall
16 make an annual report to the ABLE Commission, covering the fiscal
17 year, showing the number and class of licensees subject to the tax,
18 and the amount of money received therefrom, which information is to
19 be included in the annual report of the ABLE Commission submitted to
20 the Governor, and transmitted to the Legislature.

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

22
23 COMMITTEE REPORT BY: COMMITTEE ON BANKING AND BUSINESS, dated
24 04/04/2018 - DO PASS.