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February 8, 2018

By: Bice

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

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

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

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

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

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

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

1 4. To serve free samples of spirits produced only by the
2 licensee to visitors twenty-one (21) years of age and older. For
3 purposes of this section, no visitor may sample more than a total of
4 three (3) fluid ounces of spirits per day. The distiller shall
5 restrict the distribution and consumption of spirits samples to an
6 area within the licensed premises designated by the distiller. A
7 current floor plan that includes the designated sampling area shall
8 be on file with the ABLE Commission. No visitor under twenty-one
9 (21) years of age shall be permitted to enter the designated
10 sampling area when samples are being distributed and consumed.
11 Samples of spirits served by a distiller under this section shall
12 not be considered a sale of spirits within the meaning of Article
13 XXVIII A of the Oklahoma Constitution or Section ~~3~~ 1-103 of this ~~act~~
14 title; provided, such samples of spirits shall be considered removed
15 or withdrawn from the distillery for use or consumption within the
16 meaning of Section ~~413~~ 5-110 of this ~~act~~ title for excise tax
17 determination and reporting requirements; and

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

21 6. To sell spirits at public events such as trade shows or
22 festivals.

23 SECTION 2. This act shall become effective October 1, 2018.
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1 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
February 8, 2018 - DO PASS
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