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March 1, 2018

By: Smalley

An Act relating to alcoholic beverages; amending Section 80, Chapter 366, O.S.L. 2016, as amended by Section 15, Chapter 364, O.S.L. 2017 (37A O.S. Supp. 2017, Section 3-110), which relates to licensed beer distributor; removing requirement for certain person to operate certain conveyance; and providing an effective date.

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

SECTION 1. AMENDATORY Section 80, Chapter 366, O.S.L. 2016, as amended by Section 15, Chapter 364, O.S.L. 2017 (37A O.S. Supp. 2017, Section 3-110), is amended to read as follows:

Section 3-110. A. A licensed distributor designated as the licensed distributor for a beer brand within a designated sales territory shall present that beer brand for sale to all on-premise licensees on the same price basis and without discrimination and to all off-premise licensees on the same price basis within a particular county and without discrimination. A licensed distributor shall not sell, supply or deliver, either directly or indirectly through a third party, a beer brand to a licensed

1 retailer outside of the designated sales territory of the designated
2 distributor nor to any person the licensed distributor has reason to
3 believe will sell or supply any quantity of the beer brand to any
4 retail location outside of the designated sales territory of the
5 designated distributor.

6 B. All beer shall only be transported by a marked conveyance
7 owned or leased by the licensed distributor ~~and operated by the~~
8 ~~licensed distributor or an employee of the distributor~~ for the
9 products of a licensed manufacturer within the designated sales
10 territory to the address and location of a licensed retailer within
11 that designated sales territory.

12 C. Any beer sold by the licensed distributor shall not be
13 delivered to, received by or stored at any place other than the
14 address and location of the licensed retailer for which state and
15 local retailer licenses or permits have been issued.

16 D. With the approval of the licensed manufacturer, a licensed
17 distributor may sell the designated brands to a licensed retailer
18 located in a designated sales territory of another licensed
19 distributor if that licensed distributor is temporarily unable for
20 any reason to provide the designated brands of the licensed
21 manufacturer within its designated sales territory.

22 E. All beer purchased by a licensed distributor for resale in
23 this state shall physically come into the possession of the licensed
24 distributor and be unloaded in and distributed from the licensed

1 warehouses of the licensed distributor located in this state prior
2 to being resold in this state.

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

4 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
5 March 1, 2018 - DO PASS
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