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February 23, 2017

By: Bice

An Act relating to alcoholic beverages; amending Section 68, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2016, Section 2-156), which relates to package stores; allowing spouse of retail spirits license holder to have certain interest; modifying licenses which spouse may hold; and providing an effective date.

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

SECTION 1. AMENDATORY Section 68, Chapter 366, O.S.L.
2016 (37A O.S. Supp. 2016, Section 2-156), is amended to read as
follows:

Section 2-156. A. No retail spirits license shall be issued to a corporation, limited liability company or similar business entity. No person may own any interest in more than two package stores; provided, a spouse of a retail spirits license holder may hold a separate interest in up to two (2) package stores. For the purpose only of establishing whether or not a person owns an interest in more than one package store, any person having a beneficial interest in any package store shall be deemed to be a partner in the package store except that the spouse of any retail spirits license holder or partner shall not be deemed to be a partner or have a beneficial

1 interest in a package store unless his or her name appears on the
2 license. A beneficial interest shall be any interest that benefits
3 from any sales or profits of the package store.

4 B. For purposes of this section, any spouse of a retail spirits
5 license holder shall not hold another license provided for pursuant
6 to the Oklahoma Alcoholic Beverage Control Act, except a retail wine
7 license, retail beer license, on-premises beer and wine license,
8 mixed beverage license ~~or~~, a caterer's license or a retail spirits
9 license.

10 C. Package stores licensed under the Oklahoma Alcoholic
11 Beverage Control Act may sell only alcoholic beverages in retail
12 containers as defined in Section ~~3~~ 1-103 of this ~~act~~ title, in the
13 original package for consumption off the premises. All retail sales
14 shall be made on the licensed premises and all deliveries off the
15 premises, at retail, of intoxicating liquor or beer are hereby
16 prohibited. Provided, a holder of a Retail Spirits License shall be
17 permitted to sell at retail any item that may be purchased at a
18 grocery store or convenience store, as defined by law, except for
19 motor fuel, so long as the sale of items other than alcoholic
20 beverages do not comprise more than twenty percent (20%) of the
21 holder's monthly sales.

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

23 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
24 February 23, 2017 - DO PASS