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February 23, 2017

AS AMENDED

SENATE BILL NO. 297

By: Bice

[alcoholic beverages - small farm winery licenses -
effective date]

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

SECTION 1. AMENDATORY Section 43, Chapter 366, O.S.L.
2016 (37A O.S. Supp. 2016, Section 2-131), is amended to read as
follows:

Section 2-131. A. A small farm winery license shall authorize the holder thereof:

1. To manufacture and bottle wines produced by that small farm winery; and

2. To bottle and sell wines produced by another small farm winery. In order for a small farm winery to bottle and sell another small farm winery's products, both the selling winery and the buying winery shall be small farm winery permit holders;

3. To serve free samples of wine produced by the licensee to
visitors twenty-one (21) years of age or older;

1 4. To sell wines produced by that small farm winery for either
2 on-premises or off-premises consumption to consumers on the small
3 farm winery premises, or premises located contiguous thereto; and

4 5. To sell wine at public events such as trade shows or
5 festivals.

6 B. A small farm wine may display the trademarked "Oklahoma
7 Grown" sticker available from the Oklahoma Grape Industry Council.

8 C. For purposes of subsection A of this section, no visitor may
9 sample more than a total of six (6) fluid ounces of wine per day.

10 The small farm winery shall restrict the distribution and
11 consumption of wine samples to an area within the licensed premises
12 designated by the small farm winery. A current floor plan that
13 includes the designated sampling area must be on file with the ABLE
14 Commission. No visitor under twenty-one (21) years of age shall be
15 permitted to enter this designated sampling area when samples are
16 being distributed or consumed. Samples of wine served by a small
17 farm winery under this section shall not be considered a sale of
18 wine within the meaning of Article XXVIII A of the Oklahoma
19 Constitution or Section 1-103 of this title; however, such samples
20 of wine shall be considered wine removed or withdrawn from the small
21 farm winery for use or consumption for excise tax determination and
22 reporting requirements.

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

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