

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 136

By: Newberry

6 AS INTRODUCED

7 An Act relating to liquor licenses; amending Section  
8 11, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2016,  
9 Section 1-111), which relates to state officers and  
employees; modifying language; and providing an  
effective date.

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

12 SECTION 1. AMENDATORY Section 11, Chapter 366, O.S.L.  
13 2016 (37A O.S. Supp. 2016, Section 1-111), is amended to read as  
14 follows:

15 Section 1-111. A. Employees of the State of Oklahoma and its  
16 political subdivisions are hereby permitted to obtain licenses from  
17 the ABLE Commission and to be involved in the alcoholic beverage  
18 business unless such involvement and licensing is otherwise  
19 specifically prohibited by law.

20 B. The following officers and employees of the State of  
21 Oklahoma and its political subdivisions are hereby prohibited from  
22 engaging in the alcoholic beverage business:  
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1        1. All judges, district attorneys, assistant district attorneys  
2 and any public official who sits in a judicial capacity with  
3 jurisdiction over the Oklahoma Alcoholic Beverage Control Act;

4        2. All employees certified as peace officers engaging in law  
5 enforcement activities; and

6        3. All employees of the Oklahoma Tax Commission who engage in  
7 the auditing, enforcement and collection of alcoholic beverage  
8 taxes.

9        C. The holding of membership or elective or appointed office in  
10 fraternal organizations which obtain mixed beverage or bottle club  
11 licenses by employees of the state or a political subdivision shall  
12 not be considered to be engagement in the alcoholic beverage  
13 business.

14        D. If the voters of a county in which a state lodge is located  
15 approve sale of alcoholic beverages by the individual drink for on-  
16 premises consumption, then such sale of alcoholic beverages on the  
17 premises of such lodge shall be authorized if a license for such  
18 sale, issued pursuant to the provisions of the Oklahoma Alcoholic  
19 Beverage Control Act, is obtained. Provided, further, that a bottle  
20 club may be licensed on the premises of a state lodge located in a  
21 county where sale of alcoholic beverages by the individual drink for  
22 on-premises consumption is not authorized.

23        E. The provisions of subsection D of this section shall not  
24 prohibit the state or a political subdivision of the state from

1 leasing a public building or facility to a person who obtains a  
2 mixed beverage license, bottle club license, special event license,  
3 contracts for the services of a licensed caterer or subleases the  
4 building or facility to a person who obtains a mixed beverage  
5 license, bottle club license, special event license or contracts for  
6 the services of a licensed caterer.

7 F. Provided, that nothing in this section shall prohibit the  
8 sale of alcoholic beverage legally confiscated as provided by law.

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

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