

1 STATE OF OKLAHOMA

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

3 SENATE BILL 174

By: Bice

6 AS INTRODUCED

7 An Act relating to alcoholic beverages; amending  
8 Section 68, Chapter 366, O.S.L. 2016 (37A O.S. Supp.  
9 2016, Section 2-156), which relates to package  
10 stores; allowing spouse of retail spirits license  
holder to have certain interest; modifying licenses  
which spouse may hold; and providing an effective  
date.

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

14 SECTION 1. AMENDATORY Section 68, Chapter 366, O.S.L.  
15 2016 (37A O.S. Supp. 2016, Section 2-156), is amended to read as  
16 follows:

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

1 store except that the spouse of any retail spirits license holder or  
2 partner shall not be deemed to be a partner or have a beneficial  
3 interest in a package store unless his or her name appears on the  
4 license. A beneficial interest shall be any interest that benefits  
5 from any sales or profits of the package store.

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

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

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

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