

**BILL SUMMARY**  
1<sup>st</sup> Session of the 56<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 1302</b>
<b>Version:</b>	<b>SAHB</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Rep. Mulready</b>
<b>Date:</b>	<b>5/8/2017</b>
<b>Impact:</b>	<b>Creates misdemeanor charges and associated penalties for crimes regarding powdered alcohol; ABLE: negative impact</b>

**Research Analysis**

The Senate amendment to HB 1302 makes it unlawful to use, possess, purchase or sell powdered alcohol and codifies the prohibition in both Title 37 and Title 37A. The first offense is punishable by a fine of up to \$300, imprisonment for up to 30 days or both fine and imprisonment. A second offense is punishable by a fine of up to \$750, imprisonment for up to 6 months or both fine and imprisonment. A third offense is punishable by a fine of up to \$3,000, imprisonment for up to 2 years or both fine and imprisonment.

The bill provides that no special event license from ABLE is required for an organization, association or nonprofit corporation whose purpose is to promote the common interest of economic development and business growth within a community, provided the event is not conducted primarily for fundraising purposes, and provided the services of a licensed caterer are used to provide and distribute the alcoholic beverages at the event. The measure also provides that no charitable alcoholic beverage event license is required for an organization, association or nonprofit corporation whose purpose is to promote the common interest of economic development and business growth within a community, provided the event is not conducted primarily for fundraising purposes, and provided the services of a licensed caterer are used to provide and distribute the alcoholic beverages at the event.

The measure repeals the Title 37 prohibition on powdered alcohol upon the effective date of Title 37A, which is October 1, 2018.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

The Senate amendment on HB 1302:

- Deals with the use/sale/purchase of powdered alcohol and deems these actions unlawful
- Creates misdemeanor charges and associated fines
- Provides that no special event license or charitable license is required for organizations, associations, or nonprofits in certain circumstances. This part of the measure, upon review by the ABLE Commission, is determined to have a negative fiscal impact for the agency. According to ABLE, “HB1302 (CS) will exempt certain entities from purchasing special event licenses, as well as charitable alcoholic beverage event licenses. Those currently run \$55.00 per license.” This exemption will decrease the number of licenses sold and thereby decrease revenue for the ABLE Commission. Exact revenue decrease would be contingent upon the number of entities claiming the exemption.

Prepared By: Kristina King

**Other Considerations**

None.

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