

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB906 _____
Of the printed Bill

Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the language "out-of-state" on page 26, Section 3, line 18;

By inserting the mark ",", after the word "wine" on page 27, Section 4, line 18;

By inserting the language ", on-premises beer and wine" after the word "caterer" and before the word "and" on page 59, Section 15, line 4;

By inserting a new sentence before the word "The" on page 59, Section 15, line 4, to read as follows:

"A temporary event shall not exceed fourteen (14) consecutive calendar days in duration."

By inserting the following language on page 60, Section 15, line 9 1/2:

"The provisions of this subsection shall apply to small brewer self-distributors and brewpub self-distributors."

By deleting the underlined language beginning with the mark ",", on page 71, Section 16, line 19, and ending with the word "election" on page 71, Section 16, line 21;

By striking the word "identical" on page 73, Section 18, line 12;

By restoring the language "equivalent value" on page 73, Section 18, line 12;

By striking subsection B of Section 19, on page 75, lines 3 through 22 and inserting in lieu thereof the language attached (insert attached);

By striking Section 27 in its entirety and renumbering subsequent sections

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Marcus McEntire

Adopted: _____

Reading Clerk

"B. The provisions of subsection A of this section shall not apply to a brewer except as otherwise stated herein. In the event a brewer, who has entered into territorial distribution agreements with beer distributors in this state, markets wine and spirits products in this state either itself or through a subsidiary or affiliate, then such brewer, subsidiary, or affiliate may elect to designate beer distributors, with whom it has entered into territorial distribution agreements, as its designated wholesalers for any wine and spirit products to be sold by the brewer, subsidiary or affiliate within said beer distributors' existing territories, provided such beer distributors must also hold a wine and spirits wholesaler license. In such event, the beer distributors shall be deemed designated wholesalers for the territory with respect to the designated products. Provided, in the event a beer distributor has not obtained a wine and spirits license, has elected not to sell wine and spirits in its respective territory, or, in the brewer's commercially reasonable discretion, is not suitable to sell wine and spirits in its respective territory, then the brewer, subsidiary or affiliate may extend the territory of an existing beer distributor, with whom it has entered into a territorial distribution agreement and who holds a wine and spirits wholesaler license, for said territory. For purposes of this subsection only, the phrase "subsidiary or affiliate" shall mean any entity that the brewer controls, is controlled by, or is under common control with, during the time that the wine and spirits brands are offered for sale in this state, and "control" shall mean ownership of more than fifty percent (50%) of the voting securities or assets of, or the ability to dictate the material operations of, another entity. If the brewer, subsidiary or

affiliate sells the wine and spirits brands to a manufacturer other than one that would otherwise fall within the provisions of this subsection, then the rights provided in this subsection which relate to the wine and spirits brands shall terminate. The rights provided to beer distributors pursuant to Section 3-111 of this title shall not be extended to apply to the wine or spirits brands distributed pursuant to this subsection."