

An Act

ENROLLED SENATE
BILL NO. 1708

By: Paxton of the Senate

and

Martinez of the House

An Act relating to alcoholic beverages; amending 37A O.S. 2021, Section 2-121, which relates to employee license; and authorizing license to be allowed to underage employee if working at a specified workplace.

SUBJECT: Alcoholic beverages

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

SECTION 1. AMENDATORY 37A O.S. 2021, Section 2-121, is amended to read as follows:

Section 2-121. A. An employee license shall authorize the holder thereof to work in a licensed package store, retail spirits, retail wine or retail beer establishment, brewpub, mixed beverage establishment, beer and wine establishment, bottle club, public event or any establishment where alcohol or alcoholic beverages are sold, mixed or served. Persons employed by a mixed beverage, on-premises beer and wine, retail wine, retail beer, public event or a bottle club licensee who do not participate in the service, mixing or sale of mixed beverages shall not be required to have an employee license. Provided, however, that a manager employed by a mixed beverage licensee, public event licensee or a bottle club shall be required to have an employee license whether or not the manager participates in the service, mixing or sale of mixed beverages. Applicants for an employee license ~~must~~ shall be at least eighteen (18) years of age, except for applicants employed by a grocery store

or convenience store who shall be at least sixteen (16) years of age, and have a health card issued by the county in which they are employed, if the county issues such a card; provided, the provisions of this section shall not be construed to permit any person under twenty-one (21) years of age to be employed to sell spirits. Employees of a special event, caterer, unless catering a mixed beverage-licensed premises, or airline/railroad beverage licensees shall not be required to obtain an employee license; further, employees of beer distributors and other licensees holding licenses issued by the ABLE Commission shall not be required to obtain an employee license if such employee only sells alcohol or alcoholic beverages to establishments holding licenses issued by the ABLE Commission and not to the public. Persons employed by a hotel licensee who participate in the stocking of hotel room mini-bars or in the handling of alcoholic beverages to be placed in such devices shall be required to have an employee license. As a prerequisite to the issuance of an employee license, not later than fourteen (14) days after initial licensure, the first-time applicant shall be required to have successfully completed a training program conducted by the ABLE Commission, or by another entity approved by the ABLE Commission, including an in-house training program conducted by the employer. Proof of training completion shall be made available for inspection by the ABLE Commission at the business location employing the licensee. The failure of an employee licensee to comply with this section may constitute a revocable offense.

B. In the event the ABLE Commission denies an application for an employee license, the Commission shall provide written notice to the applicant's employer, if any. The notice shall be given at the time notice is provided to the applicant.

Passed the Senate the 14th day of March, 2022.

Presiding Officer of the Senate

Passed the House of Representatives the 20th day of April, 2022.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____