

# An Act

ENROLLED HOUSE  
BILL NO. 2665

By: Echols of the House

and

Coleman of the Senate

An Act relating to alcoholic beverages; amending Section 13, Chapter 366, O.S.L. 2016, as last amended by Section 9, Chapter 161, O.S.L. 2020 (37A O.S. Supp. 2020, Section 2-101), which relates to fees; modifying name of certain license; adding certain license information; providing an effective date; and declaring an emergency.

SUBJECT: Alcoholic beverages

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

SECTION 1. AMENDATORY Section 13, Chapter 366, O.S.L. 2016, as last amended by Section 9, Chapter 161, O.S.L. 2020 (37A O.S. Supp. 2020, Section 2-101), is amended to read as follows:

Section 2-101. A. Except as otherwise provided in this section, the licenses issued by the ABLE Commission, and the annual fees therefor, shall be as follows:

1. Brewer License..... \$1,250.00
2. Small Brewer License..... \$125.00
3. Distiller License..... \$3,125.00
4. Winemaker License..... \$625.00
5. Small Farm Winery License..... \$75.00
6. Rectifier License..... \$3,125.00
7. Wine and Spirits Wholesaler License..... \$3,000.00

- 8. Beer Distributor License..... \$750.00
- 9. The following retail spirits license fees shall be determined by the latest Federal Decennial Census:
  - a. Retail Spirits License for cities and towns from 200 to 2,500 population..... \$305.00
  - b. Retail Spirits License for cities and towns from 2,501 to 5,000 population..... \$605.00
  - c. Retail Spirits License for cities and towns over 5,000 population..... \$905.00
- 10. Retail Wine License..... \$1,000.00
- 11. Retail Beer License..... \$500.00
- 12. Mixed Beverage License..... \$1,005.00
  - (initial license)
  - \$905.00
  - (renewal)
- 13. Mixed Beverage/Caterer Combination License..... \$1,250.00
- 14. On-Premises Beer and Wine License..... \$500.00
  - (initial license)
  - \$450.00
  - (renewal)
- 15. Bottle Club License..... \$1,000.00
  - (initial license)
  - \$900.00
  - (renewal)



- 28. Nonresident Seller License ~~or Manufacturer's License~~..... \$750.00
- 29. Manufacturer License:
  - a. 50 cases or less sold in Oklahoma in last calendar year..... \$50.00
  - b. 51 to 500 cases sold in Oklahoma in last calendar year..... \$75.00
  - c. 501 cases or more sold in Oklahoma in last calendar year..... \$150.00
- 30. Manufacturer's Agent License..... \$55.00
- ~~30.~~ 31. Sacramental Wine Supplier License..... \$100.00
- ~~31.~~ 32. Charitable Auction License..... \$1.00
- ~~32.~~ 33. Charitable Alcoholic Beverage License..... \$55.00
- ~~33.~~ 34. Winemaker Self-Distribution License..... \$750.00
- ~~34.~~ 35. Annual Public Event License..... \$1,005.00
- ~~35.~~ 36. One-Time Public Event License..... \$255.00
- ~~36.~~ 37. Small Brewer Self-Distribution License..... \$750.00
- ~~37.~~ 38. Brewpub License..... \$1,005.00
- ~~38.~~ 39. Brewpub Self-Distribution License..... \$750.00
- ~~39.~~ 40. Complimentary Beverage License..... \$75.00
- ~~40.~~ 41. Satellite Tasting Room License..... \$100.00

B. 1. There shall be added to the initial or renewal fees for a Mixed Beverage License an administrative fee, which shall not be deemed to be a license fee, in the amount of Five Hundred Dollars (\$500.00), which shall be paid at the same time and in the same manner as the license fees prescribed by paragraph 12 of subsection A of this section; provided, this fee shall not be assessed against service organizations or fraternal beneficiary societies which are

exempt under Section 501(c)(19), (8) or (10) of the Internal Revenue Code.

2. There shall be added to the fee for a Mixed Beverage/Caterer Combination License an administrative fee, which shall not be deemed to be a license fee, in the amount of Two Hundred Fifty Dollars (\$250.00), which shall be paid at the same time and in the same manner as the license fee prescribed by paragraph 13 of subsection A of this section.

C. Notwithstanding the provisions of subsection A of this section:

1. The license fee for a mixed beverage or bottle club license for those service organizations or fraternal beneficiary societies which are exempt under Section 501(c)(19), (8) or (10) of the Internal Revenue Code shall be Five Hundred Dollars (\$500.00) per year; and

2. The renewal fee for an airline/railroad/commercial passenger vessel beverage license held by a railroad described in 49 U.S.C., Section 24301, shall be One Hundred Dollars (\$100.00).

D. An applicant may apply for and receive both an on-premises beer and wine license and a caterer license.

E. All licenses, except as otherwise provided, shall be valid for one (1) year from date of issuance unless revoked or surrendered. Provided, all employee licenses shall be valid for two (2) years.

F. The holder of a license, issued by the ABLE Commission, for a bottle club located in a county of this state where the sale of alcoholic beverages by the individual drink for on-premises consumption has been authorized, may exchange the bottle club license for a mixed beverage license or an on-premises beer and wine license and operate the licensed premises as a mixed beverage establishment or an on-premises beer and wine establishment subject to the provisions of the Oklahoma Alcoholic Beverage Control Act. There shall be no additional fee for such exchange and the mixed beverage license or on-premises beer and wine license issued shall expire one (1) year from the date of issuance of the original bottle club license.

G. In addition to the applicable licensing fee, the following surcharge shall be assessed annually on the following licenses:

1. Nonresident Seller ~~or Manufacturer~~ License..... \$2,500.00
2. Manufacturer License:
  - a. 50 cases or less sold in Oklahoma in last calendar year..... \$100.00
  - b. 51 to 500 cases sold in Oklahoma in last calendar year..... \$225.00
  - c. 501 cases or more sold in Oklahoma in last calendar year..... \$450.00
3. Wine and Spirits Wholesaler License..... \$2,500.00
- ~~3.~~ 4. Beer Distributor..... \$1,000.00
- ~~4.~~ 5. Retail Spirits License for cities and towns over 5,000 population..... \$250.00
- ~~5.~~ 6. Retail Spirits License for cities and towns from 2,501 to 5,000 population..... \$200.00
- ~~6.~~ 7. Retail Spirits License for cities and towns from 200 to 2,500 population..... \$150.00
- ~~7.~~ 8. Retail Wine License..... \$250.00
- ~~8.~~ 9. Retail Beer License..... \$250.00
- ~~9.~~ 10. Mixed Beverage License..... \$25.00
- ~~10.~~ 11. Mixed Beverage/Caterer Combination License..... \$25.00
- ~~11.~~ 12. Caterer License..... \$25.00
- ~~12.~~ 13. On-Premises Beer and Wine License..... \$25.00
- ~~13.~~ 14. Annual Public Event License..... \$25.00
- ~~14.~~ 15. Small Farm Winery License..... \$25.00

- ~~15.~~ 16. Small Brewer License..... \$35.00
- ~~16.~~ 17. Complimentary Beverage License..... \$25.00

The surcharge shall be paid concurrent with the licensee's annual licensing fee and, in addition to Five Dollars (\$5.00) of the employee license fee, shall be deposited in the Alcoholic Beverage Governance Revolving Fund established pursuant to Section 5-128 of this title.

H. Any license issued by the ABLE Commission under this title may be relied upon by other licensees as a valid license, and no other licensee shall have any obligation to independently determine the validity of such license or be held liable solely as a consequence of another licensee's failure to maintain a valid license.

SECTION 2. This act shall become effective July 1, 2021.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 9th day of March, 2021.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 19th day of April, 2021.

\_\_\_\_\_  
Presiding Officer of the Senate

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: \_\_\_\_\_