

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 ENGROSSED SENATE
5 BILL NO. 1708

 By: Paxton of the Senate

 and

 Martinez of the House

8
9 An Act relating to alcoholic beverages; amending 37A
10 O.S. 2021, Section 2-121, which relates to employee
11 license; authorizing license to be allowed to
 underage employee if working at a specified
 workplace; and declaring an emergency.

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

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

17 Section 2-121. A. An employee license shall authorize the
18 holder thereof to work in a licensed package store, retail spirits,
19 retail wine or retail beer establishment, brewpub, mixed beverage
20 establishment, beer and wine establishment, bottle club, public
21 event or any establishment where alcohol or alcoholic beverages are
22 sold, mixed or served. Persons employed by a mixed beverage, on-
23 premises beer and wine, retail wine, retail beer, public event or a
24 bottle club licensee who do not participate in the service, mixing

1 or sale of mixed beverages shall not be required to have an employee
2 license. Provided, however, that a manager employed by a mixed
3 beverage licensee, public event licensee or a bottle club shall be
4 required to have an employee license whether or not the manager
5 participates in the service, mixing or sale of mixed beverages.
6 Applicants for an employee license ~~must~~ shall be at least eighteen
7 (18) years of age, except for applicants employed by a grocery store
8 or convenience store who shall be at least sixteen (16) years of
9 age, and have a health card issued by the county in which they are
10 employed, if the county issues such a card; provided, the provisions
11 of this section shall not be construed to permit any person under
12 twenty-one (21) years of age to be employed to sell spirits.
13 Employees of a special event, caterer, unless catering a mixed
14 beverage-licensed premises, or airline/railroad beverage licensees
15 shall not be required to obtain an employee license; further,
16 employees of beer distributors and other licensees holding licenses
17 issued by the ABLE Commission shall not be required to obtain an
18 employee license if such employee only sells alcohol or alcoholic
19 beverages to establishments holding licenses issued by the ABLE
20 Commission and not to the public. Persons employed by a hotel
21 licensee who participate in the stocking of hotel room mini-bars or
22 in the handling of alcoholic beverages to be placed in such devices
23 shall be required to have an employee license. As a prerequisite to
24 the issuance of an employee license, not later than fourteen (14)

1 days after initial licensure, the first-time applicant shall be
2 required to have successfully completed a training program conducted
3 by the ABLE Commission, or by another entity approved by the ABLE
4 Commission, including an in-house training program conducted by the
5 employer. Proof of training completion shall be made available for
6 inspection by the ABLE Commission at the business location employing
7 the licensee. The failure of an employee licensee to comply with
8 this section may constitute a revocable offense.

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

13 SECTION 2. It being immediately necessary for the preservation
14 of the public peace, health or safety, an emergency is hereby
15 declared to exist, by reason whereof this act shall take effect and
16 be in full force from and after its passage and approval.

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18 COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO AND CONTROLLED
19 SUBSTANCES, dated 04/14/2022 - DO PASS.
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