

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 4053

By: Marti

AS INTRODUCED

An Act relating to alcoholic beverages; amending 37a O.S. 2021, Section 3-116.2, which relates to posting requirements for wine and spirit wholesalers and beer distributors; removing posting requirements for beer distributors; and providing an effective date.

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

SECTION 1. AMENDATORY 37a O.S. 2021, Section 3-116.2, is amended to read as follows:

Section 3-116.2 A. In the event a manufacturer has designated a wine and spirits wholesaler ~~or a brewer has designated a beer distributor pursuant to subsection B of Section 3-116 of this title~~ to sell its product in the state, the wine and spirits wholesaler shall comply with the following posting requirements: The wine and spirits wholesaler ~~or beer distributor appointed pursuant to subsection B of Section 3-116 of this title~~ shall submit its line-item price posting for that product no later than the fifteenth day of each month. If the fifteenth day of the month falls on a Saturday, Sunday or a holiday then the wine and spirits wholesaler shall submit its price posting on the next business day. The price

posting submitted by the wine and spirits wholesaler shall list the line-item price, handling cost, transportation cost and any other costs that may be associated with the sale or delivery of that item. All prices shall become effective on the first business day of the month following posting and shall remain in effect and unchanged in one-month increments. No change or modification of the posted price shall be permitted except upon written permission from the ABLE Commission based on good cause shown.

B. This section shall not apply ~~unless a product has been designated by a manufacturer for distribution by a single wine and spirits wholesaler in the state or by a brewer for distribution by a beer distributor pursuant to subsection B of Section 3-116 of this title~~ to a beer distributor or its commonly-owned affiliate that has been designated by a brewer pursuant to subsection B of Section 3-116 of this title, who shall not be required to post its prices.

SECTION 2. This act shall become effective November 1, 2022.

58-2-9540            JL            01/04/22