

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1723

By: Coleman

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5  
6 AS INTRODUCED

7 An Act relating to alcoholic beverages; amending 37A  
8 O.S. 2021, Section 3-116.2, which relates to  
9 designated wholesalers; removing beer distributors  
10 from posting requirements; providing exception for  
11 beer distributors; removing exception for certain  
12 wine and spirits wholesalers; and declaring an  
13 emergency.

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

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

17 Section 3-116.2. A. In the event a manufacturer has designated  
18 a wine and spirits wholesaler ~~or a brewer has designated a beer~~  
19 ~~distributor pursuant to subsection B of Section 3-116 of this title~~  
20 to sell its product in the state, the wine and spirits wholesaler  
21 shall comply with the following posting requirements: The wine and  
22 spirits wholesaler ~~or beer distributor appointed pursuant to~~  
23 ~~subsection B of Section 3-116 of this title~~ shall submit its line-  
24 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

1 Saturday, Sunday or a holiday then the wine and spirits wholesaler  
2 shall submit its price posting on the next business day. The price  
3 posting submitted by the wine and spirits wholesaler shall list the  
4 line-item price, handling cost, transportation cost and any other  
5 costs that may be associated with the sale or delivery of that item.  
6 All prices shall become effective on the first business day of the  
7 month following posting and shall remain in effect and unchanged in  
8 one-month increments. No change or modification of the posted price  
9 shall be permitted except upon written permission from the ABLE  
10 Commission based on good cause shown.

11 B. This section shall not apply ~~unless a product has been~~  
12 ~~designated by a manufacturer for distribution by a single wine and~~  
13 ~~spirits wholesaler in the state or by a brewer for distribution by a~~  
14 ~~beer distributor pursuant to subsection B of Section 3-116 of this~~  
15 ~~title~~ to a beer distributor or its commonly owned affiliate that has  
16 been designated by a brewer pursuant to subsection B of Section 3-  
17 116 of this title.

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

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23 58-2-2735 MR 1/20/2022 6:01:42 PM  
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