

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 1057

By: Rosino of the Senate

and

Echols and Hill of the
House

6
7
8
9
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to alcoholic beverages; amending 37A
12 O.S. 2021, Section 2-110, as amended by Section 1,
13 Chapter 140, O.S.L. 2022 (37A O.S. Supp. 2023,
14 Section 2-110), which relates to mixed beverage
15 licenses; allowing for license to be used by certain
16 entity; defining certain term; updating statutory
17 language; and providing an effective date.

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

19 SECTION 1. AMENDATORY 37A O.S. 2021, Section 2-110, as
20 amended by Section 1, Chapter 140, O.S.L. 2022 (37A O.S. Supp. 2023,
21 Section 2-110), is amended to read as follows:

22 Section 2-110. A. A mixed beverage license shall authorize the
23 holder thereof:
24

1 1. To purchase alcohol, spirits, beer and/or wine in retail
2 containers from the holder of a wine and spirits wholesaler and beer
3 distributor license as specifically provided by law;

4 2. To sell, offer for sale and possess mixed beverages for on-
5 premises consumption only, provided:

6 a. the holder of a mixed beverage license issued for an
7 establishment which is also a restaurant may purchase
8 wine directly from a winemaker and beer directly from
9 a small brewer who is permitted and has elected to
10 self-distribute as provided in Article XXVIII-A of the
11 Oklahoma Constitution, and

12 b. the holder of a mixed beverage license that is also a
13 holder of a retail wine license or retail beer license
14 or both a retail wine license and retail beer license
15 shall not be prohibited from the on-premises sale of
16 wine or beer, according to the license held, for off-
17 premises consumption, subject to the limitations of
18 the retail wine license or retail beer license; and

19 3. To sell spirits in their original packages for consumption
20 on its premises under the following conditions:

21 a. spirits in their original packages shall remain and be
22 consumed in the club suite of a mixed beverage
23 licensee and may not be removed from the club suite if
24 not consumed in their entirety at or before the

1 conclusion of the period for which the club suite was
2 made available to a specific patron or patrons by the
3 mixed beverage licensee, and

4 b. spirits in their original packages to be consumed in
5 the club suite are provided exclusively by the mixed
6 beverage licensee.

7 B. Sales and service of mixed beverages by holders of mixed
8 beverage licenses shall be limited to the licensed premises of the
9 licensee unless the holder of the mixed beverage license also
10 obtains a caterer license or a mixed beverage/caterer combination
11 license, or if the holder of a mixed beverage license is an
12 Entertainment District Tenant Party as defined in Section 2393 of
13 Title 68 of the Oklahoma Statutes. A mixed beverage license shall
14 only be issued in counties of this state where the sale of alcoholic
15 beverages by the individual drink for on-premises consumption has
16 been authorized. A separate license shall be required for each
17 place of business.

18 C. Sales and service of mixed beverages by holders of mixed
19 beverage licenses of an Entertainment District Tenant Party shall be
20 limited to the premises of an Entertainment District. For purposes
21 of this subsection, premises may be defined as the designated area
22 of an Entertainment District as defined in Section 2393 of Title 68
23 of the Oklahoma Statutes.

1 D. Holders of a mixed beverage license shall not be prohibited
2 from obtaining and holding a retail beer license or retail wine
3 license or both a retail beer license and retail wine license;
4 provided, that each holder qualifies and maintains the
5 qualifications for each license held as set forth in this title and
6 the rules promulgated by the ~~ABLE~~ Alcoholic Beverage Laws
7 Enforcement (ABLE) Commission.

8 ~~D.~~ E. Upon application, a mixed beverage license shall be
9 issued for any place of business functioning as a motion picture
10 theater, as defined by Section 1-103 of this title. Provided, that
11 upon proof of legal age to consume alcohol, every patron being
12 served alcoholic beverages shall be required to wear a wrist
13 bracelet or receive a hand stamp identifying the patron as being of
14 legal age to consume alcohol. This requirement shall only apply
15 inside a motion picture theater auditorium where individuals under
16 the legal age to consume alcohol are allowed.

17 ~~E.~~ F. Holders of a mixed beverage license with a licensed
18 premises on a business establishment that meets the classification
19 of a golf course or country club pursuant to the most recently
20 adopted North American Industry Classification System (NAICS) may
21 also sell beer in sealed original packages for on-premises
22 consumption. Such holders' sales of more than two ~~(2)~~ sealed
23 original packages to one person at one time for on-premises
24 consumption shall not be considered an unlawful inducement to

1 stimulate consumption of alcoholic beverages under the Oklahoma
2 Alcoholic Beverage Control Act, and patrons may remove sealed
3 original packages from the licensed premises.

4 SECTION 2. This act shall become effective November 1, 2024.

5
6 59-2-3768 MR 5/21/2024 1:35:51 PM
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24