

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 71

By: Murdock

AS INTRODUCED

An Act relating to alcoholic beverages; amending 37A O.S. 2021, Section 3-118, which relates to retail sales of alcoholic beverages; prohibiting alcoholic beverages from being sold for less than a certain amount; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 37A O.S. 2021, Section 3-118, is amended to read as follows:

Section 3-118. No alcoholic beverages intended for ~~off-premise~~ off-premises or ~~on-premise~~ on-premises consumption shall be sold at retail for less than ~~a six percent (6%) markup~~ actual unit cost, unless the sale meets one or more of the following conditions:

1. Where seasonable merchandise is sold in bona fide clearance sales, if advertised, marked and sold as such;

2. Where merchandise is imperfect or damaged or is being discontinued and is advertised, marked and sold as such;

3. Where merchandise is sold upon the final liquidation of any business;

1 4. Where merchandise is sold for charitable purposes or to
2 relief agencies;

3 5. Where merchandise is sold on contract to departments of the
4 government or governmental institutions;

5 6. Where merchandise is sold by any officer acting under the
6 order or direction of any court; or

7 7. Where merchandise is sold at any bona fide auction sale.

8 SECTION 2. This act shall become effective November 1, 2023.

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