

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 3501

6 By: Duel

7 COMMITTEE SUBSTITUTE

8 An Act relating to alcoholic beverages; requiring the
9 Alcoholic Beverage Laws Enforcement (ABLE) Commission
10 to issue multiple licenses for manufacturing
11 beverages on the same premises to certain license
12 holders; providing requirements for acquiring
13 multiple licenses; requiring a license holder
14 operating under an alternating proprietorship or
15 premises arrangement to abide by the Oklahoma
16 Alcoholic Beverage Control Act; directing the ABLE
17 Commission to promulgate rules to authorize
18 alternating proprietorship or premises; amending 37A
19 O.S. 2021, Section 1-107, which relates to ABLE
20 Commission powers and duties; authorizing ABLE
21 Commission to issue multiple licenses to the same
22 premises for the purpose of manufacturing beverages;
23 providing for codification; and providing an
24 effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2-165 of Title 37A, unless there
is created a duplication in numbering, reads as follows:

A. The Alcoholic Beverage Laws Enforcement (ABLE) Commission
shall issue multiple licenses for manufacturing beverages on the

1 same premises if the applicant is in good standing with the ABLE
2 Commission and the Oklahoma Tax Commission pursuant to the Oklahoma
3 Alcoholic Beverage Control Act including, but not limited to, a
4 brewer license, small brewer license, small brewer self-distribution
5 license, charitable collaboration brewer license, distiller license,
6 winemaker license, rectifier license, small farm winery license,
7 brewpub license, manufacturer's license, and satellite tasting room
8 license. Nothing in this section shall be construed to apply to the
9 issuance of distribution or wholesale licensee.

10 B. Applicants for an additional license must obtain all
11 necessary federal permits and approvals from the Alcohol and Tobacco
12 Tax and Trade Bureau (TTB) for an alternating proprietorship or
13 premises arrangement. An applicant shall notify the ABLE Commission
14 of its intention to operate an alternating proprietorship or
15 premises when applying for the second and all subsequent licenses
16 for a single premises.

17 C. Any license holder operating under an alternating
18 proprietorship or premises arrangement shall abide by the portions
19 of the Oklahoma Alcoholic Beverage Control Act that are relevant to
20 the license under which they are producing the corresponding
21 beverage governed by the license.

22 D. The ABLE Commission shall promulgate rules, pursuant to the
23 Administrative Procedures Act, to authorize alternating
24 proprietorship or premises arrangements.

1 SECTION 2. AMENDATORY 37A O.S. 2021, Section 1-107, is
2 amended to read as follows:

3 Section 1-107. A. The ~~ABLE~~ Alcoholic Beverage Laws Enforcement
4 Commission shall have the following powers and duties:

5 1. To supervise, inspect and regulate every phase of the
6 business of manufacturing, importing, exporting, transporting,
7 storing, selling, distributing and possessing for the purpose of
8 sale, all alcoholic beverages which shall be necessary and proper to
9 carry out the purposes of the Oklahoma Alcoholic Beverage Control
10 Act;

11 2. To promulgate rules, in the manner herein provided, to carry
12 out the purposes of the Oklahoma Alcoholic Beverage Control Act;

13 3. To have the sole authority to issue any license provided for
14 in the Oklahoma Alcoholic Beverage Control Act and except as
15 provided in Sections ~~101~~ 4-104 and ~~102~~ 4-105 of this ~~act~~ title with
16 respect to cities, towns and counties, and except as may be provided
17 under Title 68 of the Oklahoma Statutes with respect to the Oklahoma
18 Tax Commission, no other agency, instrumentality or political
19 subdivision of this state shall be authorized to issue any license
20 or permit allowing any licensee to engage in any activity covered by
21 the Oklahoma Alcoholic Beverage Control Act anywhere within the
22 State of Oklahoma;

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1 4. To refuse to issue any license provided for in the Oklahoma
2 Alcoholic Beverage Control Act for cause provided for in the
3 Oklahoma Alcoholic Beverage Control Act;

4 5. To revoke or suspend, for cause after hearing, any license
5 issued under the authority of the Oklahoma Alcoholic Beverage
6 Control Act;

7 6. To prescribe the forms of all reports which it deems
8 necessary in administering the Oklahoma Alcoholic Beverage Control
9 Act;

10 7. To fix standards not in conflict with those prescribed by
11 any law of this state or of the United States, to secure the use of
12 proper ingredients and methods of manufacture and dispensing of
13 alcoholic beverages;

14 8. To make seizures of alcoholic beverages manufactured, sold,
15 possessed, imported or transported in violation of the Oklahoma
16 Alcoholic Beverage Control Act, and apply for the confiscation
17 thereof whenever required by the Oklahoma Alcoholic Beverage Control
18 Act, and cooperate in the prosecution of offenders before any court
19 of competent jurisdiction;

20 9. To submit to the Governor and members of the State
21 Legislature annual or semiannual reports upon request of the
22 Governor;

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1 10. To inspect or cause to be inspected any premises where
2 alcoholic beverages are manufactured, stored, distributed, sold,
3 dispensed or served;

4 11. In the conduct of any hearing authorized to be held by the
5 ABLE Commission:

- 6 a. to examine or cause to be examined, under oath, any
7 person,
- 8 b. to examine or cause to be examined books and records
9 of any licensee,
- 10 c. to hear testimony and take proof material for the ABLE
11 Commission's information and the discharge of its
12 duties hereunder,
- 13 d. to administer or cause to be administered oaths, and
- 14 e. to issue subpoenas for the attendance of witnesses and
15 the production of books or records which shall be
16 effective in any part of the state. Any district
17 court or any judge thereof, either in term or
18 vacation, may by order duly entered require the
19 attendance of witnesses and the production of relevant
20 books or records subpoenaed by the ABLE Commission,
21 and the court or judge may compel obedience to the
22 order by proceedings for contempt;

1 12. To prescribe the kind and size of retail containers of
2 alcoholic beverages which may be purchased, possessed and sold by a
3 licensee;

4 13. To prescribe by rule, in addition to those herein required,
5 the kinds of records to be kept and reports to be rendered by
6 licensees, and the information to be shown therein; provided, that
7 the period for which all such records and reports be retained shall
8 not be less than five (5) years;

9 14. To gather, compile and print such statistical data as may
10 in the opinion of the ABLE Commission be needed or useful, and
11 prescribe charges or fees to be collected from any person or company
12 to whom such data shall be provided. No reports shall contain sales
13 information by name or license number;

14 15. To educate persons employed by licensees to sell or serve
15 alcoholic beverages as to the provisions of Article XXVIII-A of the
16 Oklahoma Constitution and the Oklahoma Alcoholic Beverage Control
17 Act, with emphasis on recognizing and preventing intoxication and
18 particular emphasis on those provisions prohibiting the selling or
19 serving of alcoholic beverages to minors. The ABLE Commission may
20 contract with one or more entities, including, but not limited to,
21 the Oklahoma Department of Mental Health and Substance Abuse
22 Services, to perform the duties specified in this paragraph;

1 16. To purchase motor vehicles necessary for use in its
2 operations. Such motor vehicles shall not be required to have any
3 type of identifying marking thereon;

4 17. To purchase insurance on the motor vehicles owned and
5 operated by the ABLE Commission in accordance with statutory
6 provisions, subject to the approval of the Risk Management
7 Administrator as provided for in Section 85.58A of Title 74 of the
8 Oklahoma Statutes;

9 18. To approve or reject any official bond required to be filed
10 with the ABLE Commission; ~~and~~

11 19. To exercise all other powers and duties conferred by the
12 Oklahoma Alcoholic Beverage Control Act, and all powers incidental,
13 convenient or necessary to enable it to administer or carry out any
14 of the provisions of the Oklahoma Alcoholic Beverage Control Act;
15 and

16 20. To issue multiple licenses to the same premises for the
17 purpose of manufacturing beverages under the alternating
18 proprietorship or premises provisions of the Oklahoma Alcoholic
19 Beverage Control Act if the applicant is in good standing with the
20 ABLE Commission.

21 B. The ABLE Commission shall promulgate rules, pursuant to the
22 Administrative Procedures Act, to carry out the purposes of the
23 Oklahoma Alcoholic Beverage Control Act.

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SECTION 3. This act shall become effective November 1, 2026.

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