

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1767

By: Coleman

AS INTRODUCED

An Act relating to alcoholic beverages; prohibiting certain retailer from shipping certain alcoholic beverages in this state; allowing the Attorney General to bring civil action; allowing the Attorney General to initiate certain proceedings; allowing the Alcoholic Beverage Laws Enforcement Commission to initiate investigations; requiring the Commission to assist the Attorney General; establishing certain civil penalty; establishing certain separate violations; requiring the Attorney General or Commission to issue certain notice; creating the Alcohol Enforcement and Regulatory Revolving Fund; providing for codification; providing an effective date; and declaring an emergency.

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 3-128 of Title 37A, unless there is created a duplication in numbering, reads as follows:

A. No person or retailer licensed outside of this state shall ship, cause to be shipped, or facilitate the shipment of alcoholic beverages to any resident of this state or receive payments for or

1 fulfill any orders of alcoholic beverages destined for delivery
2 within this state unless otherwise permitted by law.

3 B. The Attorney General may:

4 1. Bring civil action in federal district court pursuant to 27
5 U.S.C., Section 122a, seeking injunctive relief against any person
6 or entity in violation of this section; or

7 2. Initiate proceedings in state court to enforce compliance
8 and assess civil penalties.

9 C. The Alcoholic Beverage Laws Enforcement Commission may
10 initiate investigations and shall assist the Attorney General with
11 investigations, issue cease and desist orders, and share evidence
12 with the Attorney General.

13 D. Any out-of-state retailer in violation of the provisions of
14 this act may be subject to the greater of:

15 1. A civil penalty not less than Five Thousand Dollars
16 (\$5,000.00) and not more than Twenty-five Thousand Dollars
17 (\$25,000.00) per violation; or

18 2. Treble damages equivalent to the retail value of the
19 alcoholic beverages shipped.

20 E. Each shipment shall constitute a separate violation of this
21 section.

22 F. Prior to initiating civil action, the Attorney General or
23 the Commission shall issue a written notice of violation to the out-
24 of-state retailer, requiring cessation of any shipments in violation
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1 of this act within five (5) calendar days and notifying such
2 retailer that failure to comply shall trigger formal enforcement.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 3-129 of Title 37A, unless there
5 is created a duplication in numbering, reads as follows:

6 There is hereby created in the State Treasury a revolving fund
7 for the Alcoholic Beverage Laws Enforcement Commission to be
8 designated the "Alcohol Enforcement and Regulatory Revolving Fund".
9 The fund shall be a continuing fund, not subject to fiscal year
10 limitations, and shall consist of all monies received by the
11 Commission pursuant to subsection D of Section 1 of this act for the
12 purpose of supporting legal enforcement actions of the Commission,
13 enhancing compliance efforts and interstate coordination, and
14 funding public education campaigns discouraging unlawful shipments
15 of alcoholic beverages. All monies accruing to the credit of the
16 fund are hereby appropriated and may be budgeted and expended by the
17 Commission for the purpose provided for in this section.
18 Expenditures from the fund shall be made upon warrants issued by the
19 State Treasurer against claims filed as prescribed by law with the
20 Director of the Office of Management and Enterprise Services for
21 approval and payment.

22 SECTION 3. This act shall become effective July 1, 2026.

23 SECTION 4. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
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