

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 592

6 By: Reinhardt

7 COMMITTEE SUBSTITUTE

8 An Act relating to alcoholic beverages; amending 37A
9 O.S. 2021, Section 3-115, which relates to withdrawal
10 of beer from retailer's stock; allowing certain
11 distributors to issue certain credit to certain
12 retailer for certain removal of beer or cider;
13 establishing certain requirements for certain credit
14 to be made; limiting certain number of credits in
15 certain calendar year; limiting certain amount of
16 each credit; prohibiting certain credit from being a
17 certain refund; prohibiting certain credit from being
18 considered certain consignment; and providing an
19 effective date.

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

21 SECTION 1. AMENDATORY 37A O.S. 2021, Section 3-115, is
22 amended to read as follows:

23 Section 3-115. A. To assure and control quality, a beer
24 distributor or a holder of a small brewer self-distribution license
or brewpub self-distribution license, at the time of a regular
delivery, may withdraw with the permission of the retailer, a
quantity of beer or cider in undamaged original packaging from the
retailer's stock if:

1 1. The beer distributor or holder of a small brewer self-
2 distribution license or brewpub self-distribution license replaces
3 the stock with beer or cider of equivalent value brands, quantities,
4 packaging and alcohol by volume as the beer or cider withdrawn; or

5 2. The stock is withdrawn before the date, or immediately after
6 the date, considered by the brewer of the product to be the date the
7 product becomes inappropriate for sale to a consumer.

8 B. The provisions of this section shall not apply to beer or
9 cider that:

10 1. Has suffered damage at the retail licensee's location,
11 regardless of the date upon which the product becomes inappropriate
12 for sale to a consumer. Beer distributors, small brewer self-
13 distributors and brewpub self-distributors are prohibited from
14 giving a refund for or replacing beer or cider that was damaged
15 while in the possession of the retail licensee. Retail licensees
16 are prohibited from requesting or requiring the beer distributor,
17 small brewer self-distributor and brewpub self-distributor to remove
18 such damaged product as a condition of continued business with the
19 retail licensee; or

20 2. Has a date for recommended use that expired prior to October
21 1, 2018. Retail licensees and brewers are prohibited from
22 requesting or requiring the beer distributor, small brewer self-
23 distributor and brewpub self-distributor to remove such expired beer
24

1 or cider as a condition of continued business with the retail
2 licensee or brewer.

3 C. Notwithstanding the provisions of this section, a beer
4 distributor, small brewer self-distributor, or brewpub self-
5 distributor may issue a credit to a retailer for beer or cider
6 removed from the retailer's premises pursuant to subsection A of
7 this section if the distributor has previously made two quality
8 control replacements to the same retailer for the same brand,
9 packaging, and alcohol by volume for the beer or cider within one
10 (1) calendar year. The credit shall:

- 11 1. Only be given once per calendar year per retailer;
- 12 2. Be limited to a total of four cases of beer or cider;
- 13 3. Not be a refund and may only be applied to future beer or
14 cider purchases; and
- 15 4. Not be considered a consignment sale or an unlawful
16 inducement, rebate, or thing of value.

17 D. A consignment sale of beer ~~is~~ shall not be authorized under
18 this section.

19 SECTION 2. This act shall become effective November 1, 2026.

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