

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 1046

By: Coleman

AS INTRODUCED

An Act relating to alcoholic beverages; amending 37A O.S. 2021, Sections 2-101, as amended by Section 3, Chapter 338, O.S.L. 2023, and 2-161 (37A O.S. Supp. 2024, Section 2-101), which relate to annual license fees and curbside pickup and delivery; defining terms; establishing certain license; providing certain requirements for license; determining certain abilities; establishing certain limits for license holders; establishing certain renewal requirements; determining certain requirements for charges; providing certain exceptions; promulgating certain enforcement; establishing certain violations; establishing certain requirements for certain applicants; requiring certain notice for certain application denials; allowing certain purchases of certain licenses; promulgating certain rules; establishing certain license fees; updating statutory language; including certain licenses; permitting certain action; establishing certain protections for certain licensees; establishing certain responsibilities; establishing certain license privileges; requiring certain pricing; establishing certain limitations on certain delivery areas; omitting certain licensees; providing for codification; and providing an effective date.

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

1 SECTION 1. AMENDATORY 37A O.S. 2021, Section 2-101, as
2 amended by Section 3, Chapter 338, O.S.L. 2023 (37A O.S. Supp. 2024,
3 Section 2-101), is amended to read as follows:

4 Section 2-101. A. Except as otherwise provided in this
5 section, the licenses issued by the ABLE Commission, and the annual
6 fees therefor, shall be as follows:

- 7 1. Brewer License..... \$1,250.00
- 8 2. Small Brewer License..... \$125.00
- 9 3. Distiller License..... \$3,125.00
- 10 4. Winemaker License..... \$625.00
- 11 5. Small Farm Winery License..... \$75.00
- 12 6. Rectifier License..... \$3,125.00
- 13 7. Wine and Spirits Wholesaler License..... \$3,000.00
- 14 8. Beer Distributor License..... \$750.00
- 15 9. The following retail spirits license fees
16 shall be determined by the latest Federal
17 Decennial Census:
 - 18 a. Retail Spirits License for cities and
19 towns from 200 to 2,500 population..... \$305.00
 - 20 b. Retail Spirits License for cities and
21 towns from 2,501 to 5,000 population..... \$605.00
 - 22 c. Retail Spirits License for cities and
23 towns over 5,000 population..... \$905.00
- 24 10. Retail Wine License..... \$1,000.00

1	11. Retail Beer License.....	\$500.00
2	12. Mixed Beverage License.....	\$1,005.00
3		(initial license)
4		\$905.00
5		(renewal)
6	13. Mixed Beverage/Caterer Combination License.....	\$1,250.00
7	14. On-Premises Beer and Wine License.....	\$500.00
8		(initial license)
9		\$450.00
10		(renewal)
11	15. Bottle Club License.....	\$1,000.00
12		(initial license)
13		\$900.00
14		(renewal)
15	16. Caterer License.....	\$1,005.00
16		(initial license)
17		\$905.00
18		(renewal)
19	17. Annual Special Event License.....	\$55.00
20	18. Quarterly Special Event License.....	\$55.00
21	19. Hotel Beverage License.....	\$1,005.00
22		(initial license)
23		\$905.00
24		(renewal)

1	20.	Airline/Railroad/Commercial Passenger Vessel Beverage	
2		License.....	\$1,005.00
3			(initial license)
4			\$905.00
5			(renewal)
6	21.	Agent License.....	\$55.00
7	22.	Employee License.....	\$30.00
8	23.	Industrial License.....	\$23.00
9	24.	Carrier License.....	\$23.00
10	25.	Private Carrier License.....	\$23.00
11	26.	Bonded Warehouse License.....	\$190.00
12	27.	Storage License.....	\$23.00
13	28.	Nonresident Seller License	\$750.00
14	29.	Manufacturer License:	
15		a. 50 cases or less sold in Oklahoma in	
16		last calendar year.....	\$50.00
17		b. 51 to 500 cases sold in Oklahoma in	
18		last calendar year.....	\$75.00
19		c. 501 cases or more sold in Oklahoma in	
20		last calendar year.....	\$150.00
21	30.	Manufacturer's Agent License.....	\$55.00
22	31.	Sacramental Wine Supplier License.....	\$100.00
23	32.	Charitable Auction License.....	\$1.00
24	33.	Charitable Alcoholic Beverage License.....	\$55.00

- 1 34. Winemaker Self-Distribution License:
 - 2 a. produced ten thousand (10,000) gallons
 - 3 or less in last calendar year..... \$350.00
 - 4 b. produced more than ten thousand
 - 5 (10,000) gallons but no more than
 - 6 fifteen thousand (15,000) gallons in
 - 7 last calendar year..... \$750.00
- 8 35. Annual Public Event License..... \$1,005.00
- 9 36. One-Time Public Event License..... \$255.00
- 10 37. Small Brewer Self-Distribution License:
 - 11 a. produced fifteen thousand (15,000)
 - 12 barrels or less in last calendar year..... \$350.00
 - 13 b. produced more than fifteen thousand
 - 14 (15,000) barrels in last calendar year..... \$750.00
- 15 38. Brewpub License..... \$1,005.00
- 16 39. Brewpub Self-Distribution License..... \$750.00
- 17 40. Complimentary Beverage License..... \$75.00
- 18 41. Satellite Tasting Room License..... \$100.00
- 19 42. Delivery Service License \$1,500.00
- 20 43. Delivery Driver License..... \$30.00

21 B. 1. There shall be added to the initial or renewal fees for
 22 a mixed beverage license an administrative fee, which shall not be
 23 deemed to be a license fee, in the amount of Five Hundred Dollars
 24 (\$500.00), which shall be paid at the same time and in the same

1 manner as the license fees prescribed by paragraph 12 of subsection
2 A of this section; provided, this fee shall not be assessed against
3 service organizations or fraternal beneficiary societies which are
4 exempt under Section 501(c)(19), (8) or (10) of the Internal Revenue
5 Code.

6 2. There shall be added to the fee for a mixed beverage/caterer
7 combination license an administrative fee, which shall not be deemed
8 to be a license fee, in the amount of Two Hundred Fifty Dollars
9 (\$250.00), which shall be paid at the same time and in the same
10 manner as the license fee prescribed by paragraph 13 of subsection A
11 of this section.

12 C. Notwithstanding the provisions of subsection A of this
13 section:

14 1. The license fee for a mixed beverage or bottle club license
15 for those service organizations or fraternal beneficiary societies
16 which are exempt under Section 501(c)(19), (8) or (10) of the
17 Internal Revenue Code shall be Five Hundred Dollars (\$500.00) per
18 year; and

19 2. The renewal fee for an airline/railroad/commercial passenger
20 vessel beverage license held by a railroad described in 49 U.S.C.,
21 Section 24301, shall be One Hundred Dollars (\$100.00).

22 D. An applicant may apply for and receive both an on-premises
23 beer and wine license and a caterer license.

1 E. All licenses, except as otherwise provided, shall be valid
2 for one (1) year from date of issuance unless revoked or
3 surrendered. Provided, all employee licenses and delivery driver
4 licenses shall be valid for two (2) years.

5 F. The holder of a license, issued by the ABLE Commission, for
6 a bottle club located in a county of this state where the sale of
7 alcoholic beverages by the individual drink for on-premises
8 consumption has been authorized, may exchange the bottle club
9 license for a mixed beverage license or an on-premises beer and wine
10 license and operate the licensed premises as a mixed beverage
11 establishment or an on-premises beer and wine establishment subject
12 to the provisions of the Oklahoma Alcoholic Beverage Control Act.
13 There shall be no additional fee for such exchange and the mixed
14 beverage license or on-premises beer and wine license issued shall
15 expire one (1) year from the date of issuance of the original bottle
16 club license.

17 G. In addition to the applicable licensing fee, the following
18 surcharge shall be assessed annually on the following licenses:

- 19 1. Nonresident Seller License..... \$2,500.00
20 2. Manufacturer License:
21 a. 50 cases or less sold in Oklahoma in
22 last calendar year..... \$100.00
23 b. 51 to 500 cases sold in Oklahoma in
24 last calendar year..... \$225.00
25

- c. 501 cases or more sold in Oklahoma in
last calendar year..... \$450.00
3. Wine and Spirits Wholesaler License..... \$2,500.00
 4. Beer Distributor..... \$1,000.00
 5. Retail Spirits License for cities and towns
over 5,000 population..... \$250.00
 6. Retail Spirits License for cities and towns
from 2,501 to 5,000 population..... \$200.00
 7. Retail Spirits License for cities and towns
from 200 to 2,500 population..... \$150.00
 8. Retail Wine License..... \$250.00
 9. Retail Beer License..... \$250.00
 10. Mixed Beverage License..... \$25.00
 11. Mixed Beverage/Caterer Combination License..... \$25.00
 12. Caterer License..... \$25.00
 13. On-Premises Beer and Wine License..... \$25.00
 14. Annual Public Event License..... \$25.00
 15. Small Farm Winery License..... \$25.00
 16. Small Brewer License..... \$35.00
 17. Complimentary Beverage License..... \$25.00

The surcharge shall be paid concurrent with the licensee's
annual licensing fee and, in addition to Five Dollars (\$5.00) of the
employee license fee and delivery driver license fee, shall be

1 deposited in the Alcoholic Beverage Governance Revolving Fund
2 established pursuant to Section 5-128 of this title.

3 H. Any license issued by the ABLE Commission under this title
4 may be relied upon by other licensees as a valid license, and no
5 other licensee shall have any obligation to independently determine
6 the validity of such license or be held liable solely as a
7 consequence of another licensee's failure to maintain a valid
8 license.

9 SECTION 2. AMENDATORY 37A O.S. 2021, Section 2-161, is
10 amended to read as follows:

11 Section 2-161. A. Retail spirit licensees may sell curbside
12 and deliver alcoholic beverages including beer, wine, and spirits in
13 sealed original containers to consumers aged twenty-one (21) years
14 and older as follows:

15 1. ~~Only employees~~ Employees of the retail spirit licensee shall
16 be permitted to make alcoholic beverage product deliveries,
17 including curbside to consumers. Employees licensed as delivery
18 drivers and delivery service licensees shall be permitted to make
19 alcoholic beverage product deliveries, including curbside, to
20 consumers on behalf of a retail spirit licensee;

21 2. Payment for alcoholic beverage product delivery by the
22 retail spirit licensee may be made by cash, check, transportable
23 credit/debit card processors or advance on-line payment methods; ~~and~~

1 3. The retail spirit licensee shall be responsible for his or
2 her delivery employees as provided in Section 2-133 of ~~Title 37A of~~
3 ~~the Oklahoma Statutes~~ this title. An action by a delivery service
4 licensee or by a delivery driver of a delivery service licensee is
5 not attributable to the retail spirit licensee with regard to:

6 a. providing, selling, or serving alcohol to a minor or
7 to an intoxicated individual,

8 b. the delivery of alcohol in a dry or otherwise illegal
9 area, unless the retailer has contractually agreed to
10 retain responsibility for ensuring that deliveries are
11 not directed to a dry or otherwise illegal area, or

12 c. any other provision of this title; and

13 4. A retail spirit licensee's responsibility under this title
14 regarding delivery of an alcoholic beverage to a consumer shall be
15 considered satisfied at the moment the retailer transfers possession
16 of an alcoholic beverage to the delivery service licensee or the
17 delivery driver of a delivery service licensee.

18 B. Small brewers and small farm wineries licensed by the
19 Oklahoma ABLE Commission may sell curbside only alcoholic beverages
20 produced by such licensee in sealed original containers to consumers
21 aged twenty-one (21) years and older as follows:

22 1. Only employees of the licensed small brewer or small farm
23 winery shall be permitted to make alcoholic beverage product
24 deliveries to consumers;

1 2. Payment for alcoholic beverage product delivery by licensed
2 small brewers or small farm wineries may be made by cash, check,
3 transportable credit/debit card processors, or advance ~~on-line~~
4 online payment methods; and

5 3. Small brewers and small farm wineries shall be responsible
6 for their delivery employees as provided in Section 2-133 of Title
7 37A of the Oklahoma Statutes.

8 C. Restaurants, bars and clubs holding mixed beverage, beer and
9 wine, or caterer/mixed beverage licenses issued by the Oklahoma ABLE
10 Commission may sell curbside and deliver only closed packages of
11 beer and wine to consumers aged twenty-one (21) years and older as
12 follows:

13 1. ~~Only employees~~ Employees of such restaurant, bar or club
14 licensee shall be permitted to make alcoholic beverage ~~package~~
15 product deliveries, including curbside, to consumers. Employees
16 licensed as delivery drivers and delivery service licensees shall be
17 permitted to make alcoholic beverage product deliveries, including
18 curbside, to consumers on behalf of a restaurant, bar, or club
19 licensee;

20 2. Payment for alcoholic beverage package delivery by licensed
21 restaurants, bars and clubs may be made by cash, check,
22 transportable credit/debit card processors, or advance on-line
23 payment methods; and

1 3. Restaurants, bars and clubs licensed by the Oklahoma ABLE
2 Commission shall be responsible for their delivery employees as
3 provided in Section 2-133 of Title 37A of the Oklahoma Statutes. An
4 action by a delivery service licensee or a delivery driver of a
5 delivery service licensee is not attributable to the restaurant,
6 bar, and club with regard to:

7 a. providing, selling, or serving alcohol to a minor or
8 to an intoxicated individual,

9 b. the delivery of alcohol in a dry or otherwise illegal
10 area, or

11 c. any other provision of this title; and

12 4. A restaurant, bar, or club's responsibility under this title
13 regarding delivery of an alcoholic beverage to an consumer is
14 considered satisfied at the moment the retailer transfers possession
15 of an alcoholic beverage to the delivery service licensee or the
16 delivery driver of a delivery service licensee.

17 D. Grocery and convenience stores holding a retail beer and/or
18 retail wine license issued by the Oklahoma ABLE Commission may sell
19 curbside and deliver original sealed containers of beer and/or wine
20 only according to the license held to consumers aged twenty-one (21)
21 years and older as follows:

22 1. ~~Only employees~~ Employees of such licensed grocery or
23 convenience store shall be permitted to make alcoholic beverage
24 product deliveries to consumers;

1 2. Payment for alcoholic beverage product delivery by a
2 licensed grocery or convenience store may be made by cash, check,
3 transportable credit/debit card processors or advance on-line
4 payment methods; and

5 3. Grocery and convenience store licensees shall be responsible
6 for their delivery employees as provided in Section 2-133 of Title
7 37A of the Oklahoma Statutes. An action by a delivery driver of a
8 delivery service licensee is not attributable to the grocery and
9 convenience store licensee with regard to:

10 a. providing, selling, or serving alcohol to a minor or
11 to an intoxicated individual,

12 b. the delivery of alcohol in a dry or otherwise illegal
13 area, or

14 c. any other provision of this title; and

15 4. A grocery or convenience store's responsibility under this
16 title regarding delivery of an alcoholic beverage to a consumer is
17 considered satisfied at the moment the retailer transfers possession
18 of an alcoholic beverage to the delivery service licensee or the
19 delivery driver of a delivery service licensee.

20 E. ~~Licensees authorized by this section to make alcoholic~~
21 ~~beverage product deliveries to consumers are prohibited from~~
22 ~~utilizing third-party vendors or delivery services for purposes of~~
23 ~~completing such product deliveries to consumers.~~

1 ~~F.~~ Licensees authorized by this section to make alcoholic
2 beverage product deliveries to consumers shall comply with the laws,
3 rules, procedures and executive orders incumbent on such licensee.

4 ~~G.~~ F. The Oklahoma ABLE Commission is authorized to promulgate
5 rules, regulations, forms and procedures necessary to implement and
6 enforce the provisions of this section.

7 ~~H.~~ G. For purposes of this section each delivery authorized by
8 a licensee to be made by his or her employee shall be deemed a
9 direct hand-to-hand sale as though the consumer was physically
10 present on the licensed premises and authorized by law by such
11 licensee.

12 H. Notwithstanding any law or rule to the contrary, a delivery
13 service licensee or a delivery driver of a delivery service
14 licensee, in accordance with Section 2-101 of this title, may
15 transport and deliver alcoholic beverage products, including
16 curbside, from a retailer or restaurant, bar, or club holding mixed
17 beverage, beer and wine, or caterer/mixed beverage licenses, to
18 consumers twenty-one (21) years of age and older for the consumer's
19 personal use and not for resale.

20 I. A delivery service licensee or a delivery driver of a
21 delivery service licensee who is authorized by law and by
22 contractual agreement with a retailer, or restaurant, bar, or club
23 holding a mixed beverage, beer and wine, or caterer/mixed beverage
24 license to deliver alcoholic beverage products to a consumer shall be

1 held responsible for violations of alcoholic beverage laws or
2 administrative rules of the ABLE Commission, affecting his or her
3 license privilege to deliver alcoholic beverage products to
4 consumers.

5 J. A retailer, restaurant, bar, or club holding a mixed
6 beverage, beer and wine, or caterer/mixed beverage license:

7 1. Is not required to verify that the delivery service licensee
8 or the delivery driver of a delivery service licensee has received
9 delivery driver training or a delivery driver license under this act;
10 and

11 2. Shall not be held responsible for any reason under this title
12 or statutory or common law for the actions of a delivery service
13 licensee or a delivery driver of a delivery service licensee.

14 K. Notwithstanding any law to the contrary, pricing for
15 alcoholic beverages delivered in accordance with this act shall meet
16 the minimum markup requirements of Section 3-118 of this title prior
17 to any additional charges, delivery, or service fees.

18 L. Any delivery service licensee engaged in authorized delivery
19 shall only do so within the county the licensed premise is located,
20 and any immediately contiguous county sharing a county line border
21 with the licensee's home county where the license is held.

22 M. A delivery service licensee shall not have any ownership
23 interest in a wine and spirits wholesaler license, a beer distributor
24 license, or any manufacturer license under this title.

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 2-161.1 of Title 37A, unless
3 there is created a duplication in numbering, reads as follows:

4 A. Any individual, limited liability company, corporation, or
5 partnership that is registered to do business in this state,
6 regardless of the residency of the ownership of the entity, may
7 apply for and be issued a delivery service license that authorizes
8 the licensee to deliver alcoholic beverages from a retailer,
9 licensed by the Alcoholic Beverage Laws Enforcement (ABLE)
10 Commission to sell alcoholic beverage products, to any person in
11 this state who is at least twenty-one (21) years of age for the
12 individual's personal use and not for resale.

13 B. To receive a delivery service license, an applicant shall:

14 1. File an application with the ABLE Commission;

15 2. Provide to the ABLE Commission a sample contract that the
16 applicant intends to enter into with a retailer for the delivery of
17 alcoholic beverage products, unless the applicant is the retailer
18 licensed by the ABLE Commission or operates under the same parent
19 company as the retailer;

20 3. Submit to the ABLE Commission an outline of internal or
21 external training for delivery service personnel that addresses
22 topics such as identifying underage persons, intoxicated persons,
23 and fake or altered identification;

1 4. Provide an attestation that the applicant is at least
2 twenty-one (21) years of age and has not been convicted of a felony
3 in any state or federal court;

4 5. Provide proof of a general liability insurance policy in an
5 amount not less than One Million Dollars (\$1,000,000.00) per
6 occurrence; and

7 6. Be properly registered to conduct business in Oklahoma.

8 C. A delivery service licensee:

9 1. May contract with any retail licensee, licensed to sell
10 alcoholic beverage products for on- or off-premises consumption, for
11 the purpose of delivering alcoholic beverage products;

12 2. May use its own employees or a third-party service who are
13 at least twenty-one (21) years of age to deliver such alcoholic
14 beverage products; provided, such delivery service personnel have a
15 valid employee license or delivery driver license issued under Title
16 37A of the Oklahoma Statutes, and shall not have been convicted of
17 any criminal offense relating to alcoholic beverages. The delivery
18 service licensee shall complete a criminal history records check on
19 each delivery driver who delivers alcoholic beverages for a
20 licensee, and may submit to the ABLE Commission an outline of
21 internal or external training for employees and delivery drivers
22 that may be used for the licensing of delivery drivers; provided,
23 that such training is approved by the ABLE Commission;

1 3. May facilitate orders by telephone, Internet, or by other
2 electronic means for the sale and delivery of alcoholic beverages.
3 If payment is not received at the time of order, the delivery
4 service licensee may act as an agent of the retail licensee in the
5 collection of payments from the sale of alcoholic beverages, but the
6 full amount of each order shall be handled in a manner that gives
7 the retailer control over the receipt of the payment from the
8 consumer with the retailer operating as the merchant of record. The
9 retailer shall remain responsible for the proper remittance of all
10 applicable taxes on the sale of the product;

11 4. Shall deliver only sealed containers of alcoholic beverage
12 products;

13 5. Shall obtain from the consumer a confirmation that he or she
14 is at least twenty-one (21) years of age at the time the order is
15 placed;

16 6. Shall require the recipient, at the time of delivery, to
17 provide valid photo identification verifying he or she is at least
18 twenty-one (21) years of age and such recipient shall sign for the
19 delivery;

20 7. Shall possess identification scanning software technology or
21 a state-of-the-art alternative at the point of delivery to
22 authenticate that the recipient is at least twenty-one (21) years of
23 age, and collect the recipient's name and date of birth;

1 8. Shall return all alcoholic beverages to the retailer if the
2 recipient is under twenty-one (21) years of age, appears
3 intoxicated, fails to provide proof of identification, fails or
4 refuses to sign for delivery, fails to complete the identification
5 verification process, declines to accept the delivery of alcoholic
6 beverages, or if any circumstances in the delivery environment
7 indicate illegal conduct, overconsumption, or an otherwise unsafe
8 environment for the consumption of alcohol. Such return shall occur
9 immediately after the discovery of such circumstance;

10 9. May not deliver any alcoholic beverage to any person located
11 within a dry jurisdiction in Oklahoma;

12 10. Shall pick up alcoholic beverages for delivery only during
13 lawful sales hours in that jurisdiction for the retail license
14 holder; provided, that orders may be delivered and completed on the
15 same day within a reasonable time thereafter;

16 11. Shall permit the ABLE Commission to perform an audit of the
17 licensee's records upon request and with sufficient notification;

18 12. Shall be deemed to have consented to the jurisdiction of
19 the ABLE Commission and the Oklahoma courts concerning enforcement
20 of this section and any related laws or rules; and

21 13. Shall be responsible for delivery of alcoholic beverage
22 products as provided in this act and by rule.

23 D. A delivery service licensee may renew its license with the
24 ABLE Commission by maintaining all qualifications, annually paying a

1 renewal fee of One Thousand Five Hundred Dollars (\$1,500.00), and
2 providing the Commission with a certified copy of its current
3 license. The annual fee for delivery service licensees shall be
4 collected by the ABLE Commission for deposit and credit to the
5 General Revenue Fund of this state.

6 E. A delivery service licensee shall be authorized to charge
7 the consumer a delivery fee but shall not charge, add on, or collect
8 any portion of the amount of the retail sales price for the
9 alcoholic beverages.

10 F. The ABLE Commission is authorized to promulgate rules,
11 regulations, forms, and procedures necessary to implement and
12 enforce the provisions of this section.

13 G. The ABLE Commission may enforce the requirements of this
14 section against any employee or delivery driver of a delivery
15 service licensee, irrespective of the status of any delivery service
16 personnel as a delivery driver. Delivery to a minor shall be
17 treated as furnishing alcohol to a minor and shall result in any
18 applicable disciplinary action; provided, that the retailer shall
19 not be held liable for violations that occur after transferring
20 possession of the alcohol beverage product to the delivery service
21 licensee.

22 H. No person shall use a license or exercise any privileges
23 granted by the license except as provided by the Oklahoma Alcoholic
24 Beverage Control Act.

1 I. No alcoholic beverages may be left unattended at a residence
2 or business address except for the delivery of such alcoholic
3 beverage in person to the purchaser confirmed to be twenty-one (21)
4 years of age or older.

5 J. For purposes of this section, each delivery authorized by a
6 licensee to be made to a consumer shall be deemed a direct hand-to-
7 hand sale as consistent with a purchase made on the licensed
8 premises and authorized by law.

9 K. Nothing in this act shall be construed to authorize the
10 direct shipment of alcohol, liquor, wine, or beer from any
11 manufacturer.

12 L. Nothing in this act shall be construed to require a
13 technology services company to obtain a delivery service license if
14 the company does not employ or contract with delivery agents, but
15 merely provides software or a digital network application that
16 connects consumers and retailers for the delivery of alcoholic
17 beverages from the retail beer or retailer.

18 SECTION 4. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 2-161.2 of Title 37A, unless
20 there is created a duplication in numbering, reads as follows:

21 A. A delivery driver license shall authorize an employee or
22 independent contractor of a delivery service licensee to deliver
23 alcoholic beverages to a consumer for personal use and not for
24

1 resale pursuant to Sections 2-101 and 2-161 of Title 37A of the
2 Oklahoma Statutes.

3 B. Applicants for a delivery driver license shall be at least
4 twenty-one (21) years of age. As a prerequisite to the issuance of
5 a delivery driver license, not later than fourteen (14) days after
6 initial licensure, a first-time applicant shall be required to have
7 successfully completed a training program conducted by the ABLE
8 Commission, or by another entity approved by the Commission,
9 including, but not limited to, an in-house training program
10 conducted by the delivery service licensee. Proof of training
11 completion shall be made available by the delivery service licensee
12 or the delivery driver licensee for inspection by the ABLE
13 Commission. The failure of a delivery driver licensee to comply
14 with this section may constitute a revocable offense.

15 C. In the event the ABLE Commission denies an application for a
16 delivery driver license, the ABLE Commission shall provide written
17 notice to the licensee or licensees the applicant provides delivery
18 services for, if any. The notice shall be given at the time notice
19 is provided to the applicant.

20 D. Notwithstanding any law or rule to the contrary a delivery
21 service licensee with training approved by the ABLE Commission may
22 purchase delivery driver licensees on behalf of the delivery drivers
23 and may provide such delivery drivers with such permits upon
24 successful completion of the delivery service's approved training.

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E. The ABLE Commission shall promulgate rules necessary for the implementation of the provisions of this act.

SECTION 5. This act shall become effective November 1, 2025.

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