

# An Act

ENROLLED HOUSE  
BILL NO. 1349

By: McEntire and Luttrell of  
the House

and

Coleman of the Senate

An Act relating to alcoholic beverages; amending Section 21, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2019, Section 2-109), which relates to certain retail licenses; modifying restriction on sale of malt beverages; providing an effective date; and declaring an emergency.

SUBJECT: Alcoholic beverages

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

SECTION 1. AMENDATORY Section 21, Chapter 366, O.S.L. 2016 (37A O.S. Supp. 2019, Section 2-109), is amended to read as follows:

Section 2-109. A. A retail spirits license shall authorize the holder thereof:

1. To purchase wine or spirits from a wine and spirits wholesaler;
2. To purchase beer from a beer distributor or from the holder of a small brewer self-distribution license; and
3. To sell same on the licensed premises in such containers to consumers for off-premises consumption only and not for resale; provided, spirits, wine and beer may be sold to charitable organizations that are holders of charitable alcoholic beverage auction or charitable alcoholic beverage event licenses.

B. A retail wine license shall authorize the holder thereof:

1. To purchase wine from a wine and spirits wholesaler;

2. To purchase wine from a small farm winemaker who is permitted and has elected to self-distribute as provided in Article ~~XXVIII~~ XXVIII-A of the Oklahoma Constitution; and

3. To sell same on the licensed premises in such containers to consumers for off-premises consumption only and not for resale; provided, wine may be sold to charitable organizations that are holders of charitable alcoholic beverage auction or charitable alcoholic beverage event licenses.

Provided, no holder of a ~~Retail Wine License~~ retail wine license may sell wine with alcohol beverage volume in excess of fifteen percent (15%).

C. A retail beer license shall authorize the holder thereof:

1. To purchase beer from a beer distributor;

2. To purchase beer from the holder of a small brewer self-distribution license; and

3. To sell same on the licensed premises in such containers to consumers for off-premises consumption only and not for resale; provided, beer may be sold to charitable organizations that are holders of charitable alcoholic beverage auction or charitable alcoholic beverage event licenses.

Provided, no holder of a ~~Retail Beer License~~ retail beer license may sell a malt beverage with alcohol beverage volume in excess of ~~eight and ninety-nine/one hundredths percent (8.99%)~~ fifteen percent (15%).

SECTION 2. This act shall become effective July 1, 2020.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 14th day of May, 2020.

Presiding Officer of the House  
of Representatives

Passed the Senate the 24th day of February, 2020.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 14<sup>th</sup>

day of May, 20 20, at 10:55 o'clock pm. M.

By: Sumer Curry

Approved by the Governor of the State of Oklahoma this 20<sup>th</sup>

day of May, 20 20, at 9:59 o'clock a. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 20

day of May, 20 2020, at 10:53 o'clock a. M.

By: Michael Rogers