

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   COMMITTEE SUBSTITUTE  
FOR

5                   HOUSE BILL NO. 2369

By: Hill, Gise, Moore, and  
**Stark** of the House

6                   and

7                   **Paxton** of the Senate

10                  COMMITTEE SUBSTITUTE

11                  An Act relating to alcoholic beverages; creating the  
12                  Marissa Murrow Act; providing short title; amending  
13                  37A O.S. 2021, Section 1-103, as last amended by  
14                  Section 1, Chapter 416, O.S.L. 2024 (37A O.S. Supp.  
15                  2024, Section 1-103), which relates to definitions;  
16                  defining term; amending 37A O.S. 2021, Section 2-101,  
17                  as amended by Section 3, Chapter 338, O.S.L. 2023  
18                  (37A O.S. Supp. 2024, Section 2-101), which relates to  
19                  rules and regulations of caterer license; providing  
20                  who may serve beer and wine at an event venue;  
21                  providing requisites for issuance of an event  
22                  bartender license; providing that proof of training  
23                  shall be furnished in certain circumstances;  
24                  providing for revocable offense for event bartender  
                      violations; providing for noncodification; and  
                      providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law not to be  
2 codified in the Oklahoma Statutes reads as follows:

3 This act shall be known and may be cited as the "Marissa Murrow  
4 Act".

5 SECTION 2. AMENDATORY 37A O.S. 2021, Section 1-103, as  
6 last amended by Section 1, Chapter 416, O.S.L. 2024 (37A O.S. Supp.  
7 2024, Section 1-103), is amended to read as follows:

8 Section 1-103. As used in the Oklahoma Alcoholic Beverage  
9 Control Act:

10 1. "ABLE Commission" or "Commission" means the Alcoholic  
11 Beverage Laws Enforcement Commission;

12 2. "Alcohol" means and includes hydrated oxide of ethyl, ethyl  
13 alcohol, ethanol or spirits of wine, from whatever source or by  
14 whatever process produced. It does not include wood alcohol or  
15 alcohol which has been denatured or produced as denatured in  
16 accordance with Acts of Congress and regulations promulgated  
17 thereunder;

18 3. "Alcoholic beverage" means alcohol, spirits, beer and wine  
19 as those terms are defined herein and also includes every liquid or  
20 solid, patented or not, containing alcohol, spirits, wine or beer  
21 and capable of being consumed as a beverage by human beings;

22 4. "Applicant" means any individual, legal or commercial  
23 business entity, or any individual involved in any legal or

1 commercial business entity allowed to hold any license issued in  
2 accordance with the Oklahoma Alcoholic Beverage Control Act;

3       5. "Beer" means any beverage containing more than one-half of  
4 one percent (0.50%) of alcohol by volume and obtained by the  
5 alcoholic fermentation of an infusion or decoction of barley, or  
6 other grain, sugar, malt or similar products. For the purposes of  
7 taxation, distribution, sales, and regulation, seltzer shall mean  
8 the same as beer as provided in this section. Beer may or may not  
9 contain hops or other vegetable products. Beer includes, among  
10 other things, beer, ale, stout, lager beer, porter, seltzer, and  
11 other malt or brewed liquors, but does not include sake, known as  
12 Japanese rice wine;

13       6. "Beer keg" means any brewer-sealed, single container that  
14 contains not less than four (4) gallons of beer;

15       7. "Beer distributor" means and includes any person licensed to  
16 distribute beer for retail sale in this state, but does not include  
17 a holder of a small brewer self-distribution license or brewpub  
18 self-distribution license. The term distributor, as used in the  
19 Oklahoma Alcoholic Beverage Control Act, shall be construed to refer  
20 to a beer distributor;

21       8. "Bottle club" means any establishment in a county which has  
22 not authorized the retail sale of alcoholic beverages by the  
23 individual drink, which is required to be licensed to keep, mix and  
24

1 serve alcoholic beverages belonging to club members on club  
2 premises;

3       9. "Bottle service" means the sale and provision of spirits in  
4 their original packages by a mixed beverage licensee to be consumed  
5 in that mixed beverage licensee's club suite;

6       10. "Brand" means any word, name, group of letters, symbol or  
7 combination thereof, that is adopted and used by a licensed brewer  
8 to identify a specific beer, wine or spirit and to distinguish that  
9 product from another beer, wine or spirit;

10      11. "Brand extension" means:

11       a. after October 1, 2018, any brand of beer or cider  
12                  introduced by a manufacturer in this state which  
13                  either:

14               (1) incorporates all or a substantial part of the  
15                  unique features of a preexisting brand of the  
16                  same licensed brewer, or  
17               (2) relies to a significant extent on the goodwill  
18                  associated with the preexisting brand, or

19       b. any brand of beer that a brewer, the majority of whose  
20                  total volume of all brands of beer distributed in this  
21                  state by such brewer on January 1, 2016, was  
22                  distributed as low-point beer, desires to sell,  
23                  introduces, begins selling or theretofore has sold and

1           desires to continue selling a strong beer in this  
2           state which either:

- 3           (1) incorporates or incorporated all or a substantial  
4           part of the unique features of a preexisting low-  
5           point beer brand of the same licensed brewer, or  
6           (2) relies or relied to a significant extent on the  
7           goodwill associated with a preexisting low-point  
8           beer brand;

9       12. "Brewer" means and includes any person who manufactures for  
10      human consumption by the use of raw materials or other ingredients  
11      any beer or cider upon which a license fee and a tax are imposed by  
12      any law of this state;

13       13. "Brewpub" means a licensed establishment operated on the  
14      premises of, or on premises located contiguous to, a small brewer,  
15      that prepares and serves food and beverages, including alcoholic  
16      beverages, for on-premises consumption;

17       14. "Cider" means any alcoholic beverage obtained by the  
18      alcoholic fermentation of fruit juice, including but not limited to  
19      flavored, sparkling or carbonated cider. For the purposes of the  
20      manufacture of this product, cider may be manufactured by either  
21      manufacturers or brewers. For the purposes of the distribution of  
22      this product, cider may be distributed by either wine and spirits  
23      wholesalers or beer distributors;

24

1       15. "Club suite" means a designated area within the premises of  
2 a mixed beverage licensee designed to provide an exclusive space  
3 which is limited to a patron or patrons specifically granted access  
4 by a mixed beverage licensee and is not accessible to other patrons  
5 of the mixed beverage licensee or the public. A club suite must  
6 have a clearly designated point of access for a patron or patrons  
7 specifically granted access by the mixed beverage licensee to ensure  
8 that persons present in the suite are limited to patrons  
9 specifically granted access by the mixed beverage licensee and  
10 employees providing services to the club suite;

11       16. "Cocktail" means a type of mixed beverage as defined in  
12 Section 7-102 of this title;

13       17. "Convenience store" means any person primarily engaged in  
14 retailing a limited range of general household items and groceries,  
15 with extended hours of operation, whether or not engaged in retail  
16 sales of automotive fuels in combination with such sales;

17       18. "Convicted" and "conviction" mean and include a finding of  
18 guilt resulting from a plea of guilty or nolo contendere, the  
19 decision of a court or magistrate or the verdict of a jury,  
20 irrespective of the pronouncement of judgment or the suspension  
21 thereof;

22       19. "Designated products" means the brands of wine or spirits  
23 offered for sale by a manufacturer that the manufacturer has  
24 assigned to a designated wholesaler for exclusive distribution;

1       20. "Designated wholesaler" means a wine and spirits wholesaler  
2 who has been selected by a manufacturer as a wholesaler appointed to  
3 distribute designated products;

4       21. "Director" means the Director of the ABLE Commission;

5       22. "Distiller" means any person who produces spirits from any  
6 source or substance, or any person who brews or makes mash, wort or  
7 wash, fit for distillation or for the production of spirits (except  
8 a person making or using such material in the authorized production  
9 of wine or beer, or the production of vinegar by fermentation), or  
10 any person who by any process separates alcoholic spirits from any  
11 fermented substance, or any person who, making or keeping mash, wort  
12 or wash, has also in his or her possession or use a still;

13       23. "Distributor agreement" means the written agreement between  
14 the distributor and brewer as set forth in Section 3-108 of this  
15 title;

16       24. "Drug store" means a person primarily engaged in retailing  
17 prescription and nonprescription drugs and medicines;

18       25. "Event venue" means any nongovernmental location, property,  
19 space, premises, grounds, building or buildings, or other site that  
20 offers to the general public for rent, lease, reservation, or other  
21 contractual use, for the hosting of a function, occasion, or event,  
22 special, private, or public, of a temporary nature. The location,  
23 property, space, premises, grounds, or building or buildings defined  
24 in this paragraph shall not include those owned, leased, or occupied

1 by organizations exempt from taxation pursuant to the provisions of  
2 the Internal Revenue Code, 26 U.S.C., Section 501(c)(3);

3 26. "Dual-strength beer" means a brand of beer that,  
4 immediately prior to April 15, 2017, was being sold and distributed  
5 in this state:

6 a. as a low-point beer pursuant to the Low-Point Beer

7 Distribution Act in effect immediately prior to  
8 October 1, 2018, and

9 b. as strong beer pursuant to the Oklahoma Alcoholic  
10 Beverage Control Act in effect immediately prior to  
11 October 1, 2018,

12 and continues to be sold and distributed as such on October 1,  
13 2018. Dual-strength beer does not include a brand of beer that  
14 arose as a result of a brand extension as defined in this section;

15 26. 27. "Fair market value" means the value in the subject  
16 territory covered by the written agreement with the distributor or  
17 wholesaler that would be determined in an arm's length transaction  
18 entered into without duress or threat of termination of the  
19 distributor's or wholesaler's rights and shall include all elements  
20 of value, including goodwill and going-concern value;

21 27. 28. "Good cause" means:

22 a. failure by the distributor to comply with the material  
23 and reasonable provisions of a written agreement or  
24 understanding with the brewer, or

1                   b. failure by the distributor to comply with the duty of  
2                   good faith;

3       28. 29. "Good faith" means the duty of each party to any  
4 distributor agreement and all officers, employees or agents thereof  
5 to act with honesty in fact and within reasonable standards of fair  
6 dealing in the trade;

7       29. 30. "Grocery store" means a person primarily engaged in  
8 retailing a general line of food, such as canned or frozen foods,  
9 fresh fruits and vegetables, and fresh and prepared meats, fish and  
10 poultry;

11      30. 31. "Hotel" or "motel" means an establishment which is  
12 licensed to sell alcoholic beverages by the individual drink and  
13 which contains guest room accommodations with respect to which the  
14 predominant relationship existing between the occupants thereof and  
15 the owner or operator of the establishment is that of innkeeper and  
16 guest. For purposes of this section, the existence of other legal  
17 relationships as between some occupants and the owner or operator  
18 thereof shall be immaterial;

19      31. 32. "Legal newspaper" means a newspaper meeting the  
20 requisites of a newspaper for publication of legal notices as  
21 prescribed in Sections 101 through 114 of Title 25 of the Oklahoma  
22 Statutes;

23      32. 33. "Licensee" means any person holding a license under the  
24 Oklahoma Alcoholic Beverage Control Act, and any agent, servant or

1 employee of such licensee while in the performance of any act or  
2 duty in connection with the licensed business or on the licensed  
3 premises;

4       33. 34. "Low-point beer" shall mean any beverages containing  
5 more than one-half of one percent (1/2 of 1%) alcohol by volume, and  
6 not more than three and two-tenths percent (3.2%) alcohol by weight,  
7 including but not limited to beer or cereal malt beverages obtained  
8 by the alcoholic fermentation of an infusion by barley or other  
9 grain, malt or similar products;

10      34. 35. "Manufacturer" means a distiller, winemaker, rectifier  
11 or bottler of any alcoholic beverage (other than beer) and its  
12 subsidiaries, affiliates and parent companies;

13      35. 36. "Manufacturer's agent" means a salaried or commissioned  
14 salesperson who is the agent authorized to act on behalf of the  
15 manufacturer or nonresident seller in this state;

16      36. 37. "Meals" means foods commonly ordered at lunch or dinner  
17 and at least part of which is cooked on the licensed premises and  
18 requires the use of dining implements for consumption. Provided,  
19 that the service of only food such as appetizers, sandwiches, salads  
20 or desserts shall not be considered meals;

21      37. 38. "Mini-bar" means a closed container, either  
22 refrigerated in whole or in part, or unrefrigerated, and access to  
23 the interior of which is:

- a. restricted by means of a locking device which requires the use of a key, magnetic card or similar device, or
- b. controlled at all times by the licensee;

38. 39. "Mixed beverage cooler" means any beverage, by whatever  
e designated, consisting of an alcoholic beverage and fruit or  
etable juice, fruit or vegetable flavorings, dairy products or  
oonated water containing more than one-half of one percent (1/2  
1%) of alcohol measured by volume but not more than seven percent  
alcohol by volume at sixty (60) degrees Fahrenheit and which is  
kaged in a container not larger than three hundred seventy-five  
5) milliliters. Such term shall include but not be limited to  
beverage popularly known as a "wine cooler";

39. 40. "Mixed beverages" means one or more servings of a beverage composed in whole or in part of an alcoholic beverage in a sealed or unsealed container of any legal size for consumption on premises where served or sold by the holder of a mixed beverage, beer and wine, caterer, public event, charitable event or special event license; provided, that a beer, cider, or wine mixed with ingredients nonalcoholic in nature including, but not limited to, beer, juice, sugar, fruits, or vegetables and sold by a small brewer, brewpub, small farm winery, or winemaker, shall not be considered a mixed beverage so long as such small brewer, brewpub, small farm winery, or winemaker does not also hold an on-premises

1 beer and wine, mixed beverage, caterer, public event, or special  
2 event license, if permitted by law;

3       40. 41. "Motion picture theater" means an establishment which  
4 is licensed by Section 2-110 of this title to sell alcoholic  
5 beverages by the individual drink and where motion pictures are  
6 exhibited, and to which the general public is admitted;

7       41. 42. "Nondesignated products" means the brands of wine or  
8 spirits offered for sale by a manufacturer that have not been  
9 assigned to a designated wholesaler;

10      42. 43. "Nonresident seller" means any person licensed pursuant  
11 to Section 2-135 of this title;

12      43. 44. "Retail salesperson" means a salesperson soliciting  
13 orders from and calling upon retail alcoholic beverage stores with  
14 regard to his or her product;

15      44. 45. "Occupation" as used in connection with "occupation  
16 tax" means the sites occupied as the places of business of the  
17 manufacturers, brewers, wholesalers, beer distributors, retailers,  
18 mixed beverage licensees, on-premises beer and wine licensees,  
19 bottle clubs, caterers, public event and special event licensees;

20      45. 46. "Original package" means any container of alcoholic  
21 beverage filled and stamped or sealed by the manufacturer or brewer;

22      46. 47. "Package store" means any sole proprietor or  
23 partnership that qualifies to sell wine, beer and/or spirits for  
24 off-premises consumption and that is not a grocery store,

1 convenience store or drug store, or other retail outlet that is not  
2 permitted to sell wine or beer for off-premises consumption;

3 ~~47.~~ 48. "Patron" means any person, customer or visitor who is  
4 not employed by a licensee or who is not a licensee;

5 ~~48.~~ 49. "Person" means an individual, any type of partnership,  
6 corporation, association, limited liability company or any  
7 individual involved in the legal structure of any such business  
8 entity;

9 ~~49.~~ 50. "Premises" means the grounds and all buildings and  
10 appurtenances pertaining to the grounds including any adjacent  
11 premises if under the direct or indirect control of the licensee and  
12 the rooms and equipment under the control of the licensee and used  
13 in connection with or in furtherance of the business covered by a  
14 license. Provided, that the ABLE Commission shall have the  
15 authority to designate areas to be excluded from the licensed  
16 premises solely for the purpose of:

- 17 a. allowing the presence and consumption of alcoholic  
18 beverages by private parties which are closed to the  
19 general public, or
- 20 b. allowing the services of a caterer serving alcoholic  
21 beverages provided by a private party.

22 This exception shall in no way limit the licensee's concurrent  
23 responsibility for any violations of the Oklahoma Alcoholic Beverage  
24 Control Act occurring on the licensed premises;

1       50. 51. "Private event" means a social gathering or event  
2 attended by invited guests who share a common cause, membership,  
3 business or task and have a prior established relationship. For  
4 purposes of this definition, advertisement for general public  
5 attendance or sales of tickets to the general public shall not  
6 constitute a private event;

7       51. 52. "Public event" means any event that can be attended by  
8 the general public;

9       52. 53. "Rectifier" means any person who rectifies, purifies or  
10 refines spirits or wines by any process (other than by original and  
11 continuous distillation, or original and continuous processing, from  
12 mash, wort, wash or other substance, through continuous closed  
13 vessels and pipes, until the production thereof is complete), and  
14 any person who, without rectifying, purifying or refining spirits,  
15 shall by mixing (except for immediate consumption on the premises  
16 where mixed) such spirits, wine or other liquor with any material,  
17 manufactures any spurious, imitation or compound liquors for sale,  
18 under the name of whiskey, brandy, rum, gin, wine, spirits, cordials  
19 or any other name;

20       53. 54. "Regulation" or "rule" means a formal rule of general  
21 application promulgated by the ABLE Commission as herein required;

22       54. 55. "Restaurant" means an establishment that is licensed to  
23 sell alcoholic beverages by the individual drink for on-premises

1 consumption and where food is prepared and sold for immediate  
2 consumption on the premises;

3       55. 56. "Retail container for spirits and wines" means an  
4 original package of any capacity approved by the United States  
5 Bureau of Alcohol, Tobacco, Firearms and Explosives;

6       56. 57. "Retailer" means a package store, grocery store,  
7 convenience store or drug store licensed to sell alcoholic beverages  
8 for off-premises consumption pursuant to a retail spirits license,  
9 retail wine license or retail beer license;

10      57. 58. "Sale" means any transfer, exchange or barter in any  
11 manner or by any means whatsoever, and includes and means all sales  
12 made by any person, whether as principal, proprietor or as an agent,  
13 servant or employee. The term sale is also declared to be and  
14 include the use or consumption in this state of any alcoholic  
15 beverage obtained within or imported from without this state, upon  
16 which the excise tax levied by the Oklahoma Alcoholic Beverage  
17 Control Act has not been paid or exempted;

18      58. 59. "Seltzer" means any beverage containing more than one-  
19 half of one percent (0.50%) of alcohol by volume and obtained by the  
20 alcoholic fermentation of malt, rice, grain of any kind, bran,  
21 glucose, sugar, or molasses and combined with carbonated water and  
22 other flavoring and labeled as "beer" by the Internal Revenue Code;  
23 provided, that seltzer shall not include carbonated beverages mixed  
24 with wine or spirits;

1       59. 60. "Short-order food" means food other than full meals  
2 including but not limited to sandwiches, soups and salads.  
3 Provided, that popcorn, chips and other similar snack food shall not  
4 be considered short-order food;

5       60. 61. "Small brewer" means a brewer who manufactures less  
6 than sixty-five thousand (65,000) barrels of beer annually pursuant  
7 to a validly issued small brewer license hereunder;

8       61. 62. "Small farm wine" means a wine that is produced by a  
9 small farm winery with seventy-five percent (75%) or more Oklahoma-  
10 grown grapes, berries, other fruits, honey or vegetables;

11       62. 63. "Small farm winery" means a wine-making establishment  
12 that does not annually produce for sale more than fifteen thousand  
13 (15,000) gallons of wine as reported on the United States Department  
14 of the Treasury Alcohol and Tobacco Tax and Trade Bureau, Report of  
15 Wine Premises Operations (TTB Form 5120.17);

16       63. 64. "Sparkling wine" means champagne or any artificially  
17 carbonated wine;

18       64. 65. "Special event" means an entertainment, recreation or  
19 marketing event that occurs at a single location on an irregular  
20 basis and at which alcoholic beverages are sold;

21       65. 66. "Spirits" means any beverage other than wine or beer,  
22 which contains more than one-half of one percent (1/2 of 1%) alcohol  
23 measured by volume, and obtained by distillation, whether or not  
24 mixed with other substances in solution and includes those products

1 known as whiskey, brandy, rum, gin, vodka, liqueurs, cordials and  
2 fortified wines and similar compounds, but shall not include any  
3 alcohol liquid completely denatured in accordance with the Acts of  
4 Congress and regulations pursuant thereto;

5 ~~66.~~ 67. "Strong beer" means beer which, prior to October 1,  
6 2018, was distributed pursuant to the Oklahoma Alcoholic Beverage  
7 Control Act, Section 1-101 et seq. of this title;

8 ~~67.~~ 68. "Successor brewer" means a primary source of supply, a  
9 brewer, a cider manufacturer or an importer that acquires rights to  
10 a beer or cider brand from a predecessor brewer;

11 ~~68.~~ 69. "Tax Commission" means the Oklahoma Tax Commission;

12 ~~69.~~ 70. "Territory" means a geographic region with a specified  
13 boundary;

14 ~~70.~~ 71. "Wine and spirits wholesaler" or "wine and spirits  
15 distributor" means and includes any sole proprietorship or  
16 partnership licensed to distribute wine and spirits in this state.

17 The term "wholesaler", as used in the Oklahoma Alcoholic Beverage  
18 Control Act, shall be construed to refer to a wine and spirits  
19 wholesaler;

20 ~~71.~~ 72. "Wine" means and includes any beverage containing more  
21 than one-half of one percent (1/2 of 1%) alcohol by volume and not  
22 more than twenty-four percent (24%) alcohol by volume at sixty (60)  
23 degrees Fahrenheit obtained by the fermentation of the natural  
24 contents of fruits, vegetables, honey, milk or other products

1 containing sugar, whether or not other ingredients are added, and  
2 includes vermouth and sake, known as Japanese rice wine;

3       72. 73. "Winemaker" means and includes any person or  
4 establishment who manufactures for human consumption any wine upon  
5 which a license fee and a tax are imposed by any law of this state;

6       73. 74. "Satellite tasting room" means a licensed establishment  
7 operated off the licensed premises of the holder of a small farm  
8 winery or winemaker license, which serves wine for on-premises or  
9 off-premises consumption; and

10       74. 75. "Straw testing" means the consumption of a de minimis  
11 amount of an alcoholic beverage by sanitary means by the holder of  
12 an employee license, twenty-one (21) years of age or older, to  
13 determine the quality or desired flavor profile of such alcoholic  
14 beverage that has been serviced, or is to be served, to a patron.

15       Words in the plural include the singular, and vice versa, and  
16 words imparting the masculine gender include the feminine, as well  
17 as persons and licensees as defined in this section.

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

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

24       1. Brewer License..... \$1,250.00

1	2.	Small Brewer License.....	\$125.00
2	3.	Distiller License.....	\$3,125.00
3	4.	Winemaker License.....	\$625.00
4	5.	Small Farm Winery License.....	\$75.00
5	6.	Rectifier License.....	\$3,125.00
6	7.	Wine and Spirits Wholesaler License.....	\$3,000.00
7	8.	Beer Distributor License.....	\$750.00
8	9.	The following retail spirits license fees shall be determined by the latest Federal Decennial Census:	
9	a.	Retail Spirits License for cities and towns from 200 to 2,500 population.....	\$305.00
10	b.	Retail Spirits License for cities and towns from 2,501 to 5,000 population.....	\$605.00
11	c.	Retail Spirits License for cities and towns over 5,000 population.....	\$905.00
12	10.	Retail Wine License.....	\$1,000.00
13	11.	Retail Beer License.....	\$500.00
14	12.	Mixed Beverage License.....	\$1,005.00
15		(initial license)	
16			\$905.00
17			(renewal)
18	13.	Mixed Beverage/Caterer Combination License.....	\$1,250.00
19	14.	On-Premises Beer and Wine License.....	\$500.00

1		(initial license)
2		\$450.00
3		(renewal)
4	15. Bottle Club License.....	\$1,000.00
5		(initial license)
6		\$900.00
7		(renewal)
8	16. Caterer License.....	\$1,005.00
9		(initial license)
10		\$905.00
11		(renewal)
12	17. Annual Special Event License.....	\$55.00
13	18. Quarterly Special Event License.....	\$55.00
14	19. Hotel Beverage License.....	\$1,005.00
15		(initial license)
16		\$905.00
17		(renewal)
18	20. Airline/Railroad/Commercial Passenger Vessel Beverage License.....	\$1,005.00
19		(initial license)
20		\$905.00
21		(renewal)
22	21. Agent License.....	\$55.00
23	22. Employee License.....	\$30.00

1	23.	Industrial License.....	\$23.00
2	24.	Carrier License.....	\$23.00
3	25.	Private Carrier License.....	\$23.00
4	26.	Bonded Warehouse License.....	\$190.00
5	27.	Storage License.....	\$23.00
6	28.	Nonresident Seller License .....	\$750.00
7	29.	Manufacturer License:	
8	a.	50 cases or less sold in Oklahoma in last calendar year.....	\$50.00
9	b.	51 to 500 cases sold in Oklahoma in last calendar year.....	\$75.00
10	c.	501 cases or more sold in Oklahoma in last calendar year.....	\$150.00
11	30.	Manufacturer's Agent License.....	\$55.00
12	31.	Sacramental Wine Supplier License.....	\$100.00
13	32.	Charitable Auction License.....	\$1.00
14	33.	Charitable Alcoholic Beverage License.....	\$55.00
15	34.	Winemaker Self-Distribution License:	
16	a.	produced ten thousand (10,000) gallons or less in last calendar year.....	\$350.00
17	b.	produced more than ten thousand (10,000) gallons but no more than	
18		fifteen thousand (15,000) gallons in	
19		last calendar year.....	\$750.00

1           35. Annual Public Event License..... \$1,005.00  
2           36. One-Time Public Event License..... \$255.00  
3           37. Small Brewer Self-Distribution License:  
4               a. produced fifteen thousand (15,000)  
5                       barrels or less in last calendar year..... \$350.00  
6               b. produced more than fifteen thousand  
7                       (15,000) barrels in last calendar year..... \$750.00  
8           38. Brewpub License..... \$1,005.00  
9           39. Brewpub Self-Distribution License..... \$750.00  
10          40. Complimentary Beverage License..... \$75.00  
11          41. Satellite Tasting Room License..... \$100.00  
12          42. Event Bartender License..... \$50.00

13           B. 1. There shall be added to the initial or renewal fees for  
14 a mixed beverage license an administrative fee, which shall not be  
15 deemed to be a license fee, in the amount of Five Hundred Dollars  
16 (\$500.00), which shall be paid at the same time and in the same  
17 manner as the license fees prescribed by paragraph 12 of subsection  
18 A of this section; provided, this fee shall not be assessed against  
19 service organizations or fraternal beneficiary societies which are  
20 exempt under Section 501(c)(19), (8) or (10) of the Internal Revenue  
21 Code.

22           2. There shall be added to the fee for a mixed beverage/caterer  
23 combination license an administrative fee, which shall not be deemed  
24 to be a license fee, in the amount of Two Hundred Fifty Dollars

1      (\$250.00), which shall be paid at the same time and in the same  
2      manner as the license fee prescribed by paragraph 13 of subsection A  
3      of this section.

4           C. Notwithstanding the provisions of subsection A of this  
5      section:

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

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

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

16           E. All licenses, except as otherwise provided, shall be valid  
17     for one (1) year from date of issuance unless revoked or  
18     surrendered. Provided, all employee licenses shall be valid for two  
19     (2) years.

20           F. The holder of a license, issued by the ABLE Commission, for  
21     a bottle club located in a county of this state where the sale of  
22     alcoholic beverages by the individual drink for on-premises  
23     consumption has been authorized, may exchange the bottle club  
24     license for a mixed beverage license or an on-premises beer and wine

1 license and operate the licensed premises as a mixed beverage  
2 establishment or an on-premises beer and wine establishment subject  
3 to the provisions of the Oklahoma Alcoholic Beverage Control Act.  
4 There shall be no additional fee for such exchange and the mixed  
5 beverage license or on-premises beer and wine license issued shall  
6 expire one (1) year from the date of issuance of the original bottle  
7 club license.

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

10 1. Nonresident Seller License..... \$2,500.00

11 2. Manufacturer License:

12 a. 50 cases or less sold in Oklahoma in  
13 last calendar year..... \$100.00

14 b. 51 to 500 cases sold in Oklahoma in  
15 last calendar year..... \$225.00

16 c. 501 cases or more sold in Oklahoma in  
17 last calendar year..... \$450.00

18 3. Wine and Spirits Wholesaler License..... \$2,500.00

19 4. Beer Distributor..... \$1,000.00

20 5. Retail Spirits License for cities and towns  
21 over 5,000 population..... \$250.00

22 6. Retail Spirits License for cities and towns  
23 from 2,501 to 5,000 population..... \$200.00

1           7. Retail Spirits License for cities and towns  
2                 from 200 to 2,500 population..... \$150.00  
3           8. Retail Wine License..... \$250.00  
4           9. Retail Beer License..... \$250.00  
5           10. Mixed Beverage License..... \$25.00  
6           11. Mixed Beverage/Caterer Combination License..... \$25.00  
7           12. Caterer License..... \$25.00  
8           13. On-Premises Beer and Wine License..... \$25.00  
9           14. Annual Public Event License..... \$25.00  
10          15. Small Farm Winery License..... \$25.00  
11          16. Small Brewer License..... \$35.00  
12          17. Complimentary Beverage License..... \$25.00

13           The surcharge shall be paid concurrent with the licensee's  
14 annual licensing fee and, in addition to Five Dollars (\$5.00) of the  
15 employee license fee, shall be deposited in the Alcoholic Beverage  
16 Governance Revolving Fund established pursuant to Section 5-128 of  
17 this title.

18           H. Any license issued by the ABLE Commission under this title  
19 may be relied upon by other licensees as a valid license, and no  
20 other licensee shall have any obligation to independently determine  
21 the validity of such license or be held liable solely as a  
22 consequence of another licensee's failure to maintain a valid  
23 license.

1 SECTION 4. AMENDATORY 37A O.S. 2021, Section 2-113, as  
2 last amended by Section 1, Chapter 238, O.S.L. 2024 (37A O.S. Supp.  
3 2024, Section 2-113), is amended to read as follows:

4 Section 2-113. A. 1. A caterer license may be issued to any  
5 person for the purpose of sale, delivery or distribution of  
6 alcoholic beverages incidental to the sale or distribution of food  
7 on a premises not licensed by the ABLE Commission. For purposes of  
8 this section, "incidental to the sale or distribution of food" means  
9 food sales constituting at least thirty-five percent (35%) of the  
10 caterer's total combined annual sales. A caterer license shall not  
11 be issued to a person whose main purpose is the sale of alcoholic  
12 beverages.

13 2. A caterer license may only be issued to those persons that  
14 prepare, sell and distribute food for consumption either on licensed  
15 or unlicensed premises. In order to renew a caterer license, annual  
16 food sales must constitute at least thirty-five percent (35%) of the  
17 caterer's total combined sales based on the most recent calendar  
18 year. A caterer shall not be required to prepare, sell and  
19 distribute food at every catered event as long as the caterer  
20 satisfies the requirement set forth in this section.

21 3. Each caterer shall submit an annual sales report containing  
22 revenue attributable to alcoholic beverages, food and all other  
23 revenues attributable to the catering service. The annual sales  
24 report must be submitted thirty (30) days prior to expiration of the

1 caterer license on forms prescribed by the ABLE Commission. The  
2 caterer license may not be renewed if the caterer fails to provide  
3 complete or sufficient financial data.

4       4. Each caterer shall submit a monthly event report containing  
5 information on all events scheduled for the subsequent month. If an  
6 event is scheduled after the first day of the month for an event to  
7 occur in the same month, then the caterer shall report that event  
8 within twenty-four (24) hours of scheduling the event or within  
9 twenty-four (24) hours prior to the event, whichever occurs first.  
10 The monthly event report shall be submitted on the first day of each  
11 month.

12       5. All reports shall be submitted electronically on forms  
13 prescribed by the ABLE Commission. Provided, if the caterer does  
14 not have access to the Internet, then monthly reports must be  
15 submitted by facsimile to the ABLE Commission's office in Oklahoma  
16 City, in which case the caterer must retain a copy of the facsimile  
17 confirmation sheet for at least twelve (12) months.

18       6. Any caterer who fails to submit a monthly report shall have  
19 the caterer license automatically suspended until such time that the  
20 caterer has fully complied with all reporting requirements. Any  
21 caterer whose annual food sales do not exceed thirty-five percent  
22 (35%) of his or her total annual combined sales shall not have the  
23 caterer's license renewed.

1       B. The ABLE Commission shall promulgate rules governing the  
2 application for and the issuance of caterer licenses.

3       C. The restrictions and rules which apply to the sale of mixed  
4 beverages on the premises of a mixed beverage licensee also apply to  
5 the sale under the authority of a caterer license. Any act which if  
6 done on the premises of a mixed beverage licensee would be a ground  
7 for revocation or suspension of the mixed beverage license is a  
8 ground for revocation or suspension of a caterer license.

9       D. If the premises where the event being catered is held are  
10 already operating pursuant to another type of license issued by the  
11 ABLE Commission, the caterer and the other licensee shall both be  
12 responsible for the actions of the caterer and shall both be subject  
13 to penalties for violations by the caterer of the Oklahoma Alcoholic  
14 Beverage Control Act and any rules promulgated thereto.

15       E. A caterer licensee may not store alcoholic beverages unless  
16 the licensee has a storage license issued by the ABLE Commission. A  
17 caterer licensee selling beer and cider to consumers shall only  
18 purchase such beer and cider from the distributor or wholesaler  
19 within the county in which the licensee will be selling the beer and  
20 cider to consumers.

21       F. A caterer may provide alcoholic beverage sales on the  
22 premises of a person currently applying for an on-premises beer and  
23 wine license, mixed beverage/caterer combination license, or mixed  
24 beverage license, provided the following terms have been satisfied:

1       1. The caterer shall take reasonable steps to ensure that the  
2 on-premises beer and wine applicant, mixed beverage/caterer  
3 combination applicant, or mixed beverage applicant uses only  
4 licensed employees to perform licensable activities while using the  
5 caterer's license. The caterer shall use his or her best efforts to  
6 attempt to have a licensed employee on-site supervising the sale of  
7 such caterer's alcoholic beverages at all times, but the caterer  
8 shall not be disciplined for failing to have a licensed employee on-  
9 site. The caterer expressly acknowledges that he or she is liable  
10 for all violations of the Oklahoma Alcoholic Beverage Control Act  
11 and rules of the ABLE Commission that are committed by the on-  
12 premises beer and wine applicant, the mixed beverage/caterer  
13 combination applicant, or the mixed beverage applicant and its  
14 employees during this period;

15       2. The caterer and the on-premises beer and wine applicant, the  
16 mixed beverage/caterer combination applicant, or the mixed beverage  
17 applicant must submit to the ABLE Commission a written agreement  
18 setting forth all the terms of the catering agreement at least  
19 twenty-four (24) hours prior to the commencement of the catered  
20 event;

21       3. The caterer may not provide alcoholic beverage sales on the  
22 unlicensed premises of the on-premises beer and wine applicant,  
23 mixed beverage/caterer combination applicant, or the mixed beverage

1 applicant for more than sixty (60) days, or after the applicant's  
2 license has been denied, whichever occurs first;

3       4. The caterer may be issued a storage license to be used to  
4 store any alcoholic beverages purchased pursuant to this subsection  
5 on the unlicensed premises of the applicant during the period of the  
6 written agreement; and

7       5. Upon the issuance of a license to the on-premises beer and  
8 wine applicant, the mixed beverage/caterer combination applicant, or  
9 the mixed beverage applicant, any alcoholic beverages on the  
10 licensed storage premises may be transferred by the caterer to the  
11 on-premises beer and wine licensee, the mixed beverage/caterer  
12 combination licensee, or the mixed beverage licensee consistent with  
13 the provisions of Section 2-155 of this title.

14       G. A caterer may provide alcoholic beverage services for  
15 temporary public events which have been licensed and approved by the  
16 ABLE Commission.

17       H. A caterer may provide alcoholic beverage services for a  
18 mixed beverage licensee which holds a live performing arts  
19 presentation and is open to the public not more than one hundred  
20 twenty (120) days per year.

21       I. All alcoholic beverages served on the premises of an event  
22 venue must be served by an ABLE licensed caterer or event bartender  
23 licensee. As a prerequisite to the issuance of an event bartender  
24 license, not later than fourteen (14) days after initial licensure,

1     the event bartender licensee shall be required to have successfully  
2     completed an in-person training program conducted by an entity  
3     approved by the ABLE Commission. Proof of training completion shall  
4     be made available for inspection by the ABLE Commission at the event  
5     venue location. The failure of an event bartender to comply with  
6     this section may constitute a revocable offense.

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

8  
9                 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
10                 OVERSIGHT, dated 03/06/2025 - DO PASS, As Amended and Coauthored.  
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