

## **SENATE FLOOR VERSION**

February 13, 2025

3 | SENATE BILL NO. 465

By: Coleman

An Act relating to alcoholic beverages; amending 37A O.S. 2021, Section 2-129, which relates to charitable alcoholic beverage licenses; updating statutory references; updating statutory language; exempting certain organizations from certain number of licenses issued each year; and declaring an emergency.

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

SECTION 1. AMENDATORY 37A O.S. 2021, Section 2-129, is

amended to read as follows:

Section 2-129. A. A charitable auction or charitable alcoholic beverage event license may be issued to a charitable organization exempt from taxation under Section 501(c)(3), ~~(4)~~ 501(c)(4), ~~(5)~~ 501(c)(5), ~~(6)~~ 501(c)(6), ~~(7)~~ 501(c)(7), ~~(8)~~ 501(c)(8), ~~(9)~~ 501(c)(9), ~~(10)~~ 501(c)(10) or ~~(19)~~ 501(c)(19) of the United States Internal Revenue Code of 1986, as amended. The charitable alcoholic beverage event license shall authorize the holder thereof to conduct a wine, spirit and/or beer event which may consist of one or more of a wine, spirit and/or beer-tasting event, a wine, spirit and/or beer dinner event or a wine, spirit and/or beer auction, which may be

1 either a live auction conducted by an auctioneer or a silent auction  
2 for which:

3       1. Bid sheets are accepted from interested bidders at the  
4 event;

5       2. The holders of tickets are allowed to bid online for a  
6 period not exceeding thirty (30) days prior to the event; or

7       3. Both bid sheets are accepted at the event and online bids  
8 are accepted pursuant to paragraph 2 of this subsection.

9       B. A charitable alcoholic beverage event shall be conducted  
10 solely to raise funds for charitable purposes. A charitable  
11 alcoholic beverage license shall allow the event attendees access to  
12 tastings, samples, dinners and alcoholic beverages as ~~parts~~ part of  
13 their entrance fee or ticket price. Wine, spirits and/or beer used  
14 in, served or consumed at a charitable alcoholic beverage event may  
15 be purchased by the charitable organization or donated by any person  
16 or entity.

17       C. The charitable alcoholic beverage event license shall be  
18 issued for a period not exceeding four (4) days. Only eight such  
19 licenses may be issued to an organization in any twelve-month  
20 period; provided, institutions of higher education in this state  
21 shall not be restricted to the maximum number of event licenses  
22 issued in any twelve-month period pursuant to this subsection. The  
23 charitable organization holding a charitable alcoholic beverage

1 event license shall not be required to obtain a special event  
2 license.

3 D. Charitable auction and charitable alcoholic beverage event  
4 license holders may also utilize a licensed caterer to provide  
5 additional alcohol services at the event and on the premises.

6 E. The charitable auction license shall authorize the holder  
7 thereof to auction wine, spirits and/or beer purchased from a retail  
8 package store or received as a gift from an individual if the  
9 auction is conducted to raise funds for charitable purposes. The  
10 charitable auction license shall be issued for a period not to  
11 exceed two (2) days. Only four such licenses shall be issued to an  
12 organization in any twelve-month period; provided, institutions of  
13 higher education in this state shall not be restricted to the  
14 maximum number of auction licenses issued in any twelve-month period  
15 pursuant to this subsection. The maximum amount of wine, spirits  
16 and/or beer auctioned pursuant to the charitable auction license  
17 shall not exceed fifty (50) gallons. All wines, beer and spirits  
18 auctioned pursuant to the charitable auction license shall be  
19 registered and all fees and taxes shall be paid in accordance with  
20 the Oklahoma Alcoholic Beverage Control Act.

21 F. No charitable alcoholic beverage event license shall be  
22 required for an organization, association or nonprofit corporation  
23 which is an economic development chamber or similar entity, provided  
24 the event is not conducted primarily for fundraising purposes, and

1 provided the services of a licensed caterer are used to provide and  
2 distribute the alcoholic beverages at the event.

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

7 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND INSURANCE  
February 13, 2025 - DO PASS

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