

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE JOINT  
7 RESOLUTION NO. 1057

By: Wallace of the House

and

**Green** of the Senate

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11                                   COMMITTEE SUBSTITUTE

12                   A Joint Resolution directing the Secretary of State  
13                   to refer to the people for their approval or  
14                   rejection a proposed amendment to Section 3 of  
15                   Article 28A of the Oklahoma Constitution; eliminating  
16                   the prohibition of refrigerated spirit sales by  
17                   retail spirits licensees; providing ballot title; and  
18                   directing filing.

19 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
20 2ND SESSION OF THE 59TH OKLAHOMA LEGISLATURE:

21                   SECTION 1. The Secretary of State shall refer to the people for  
22                   their approval or rejection, as and in the manner provided by law,  
23                   the following proposed amendment to Section 3 of Article 28A of the  
24                   Constitution of the State of Oklahoma to read as follows:

1 Section 3. A. The Legislature shall, by law, prescribe a set  
2 of licenses for the sale of alcoholic beverages to consumers for  
3 off-premise consumption, which shall include, but not be limited to:

4 1. A Retail Spirits License, which shall be required in order  
5 to sell the following:

- 6 a. refrigerated and non-refrigerated spirits in their  
7 original sealed package, and/or  
8 b. refrigerated and non-refrigerated wine and beer in  
9 their original sealed package.

10 A holder of a Retail Spirits License shall be permitted to sell  
11 at retail any item that may be purchased at a grocery store or  
12 convenience store, as defined by law, so long as the sale of items  
13 other than alcoholic beverages do not comprise more than twenty  
14 percent (20%) of the holder's monthly sales;

15 2. A Retail Wine License, which shall be required in order to  
16 sell refrigerated or non-refrigerated wine in the original sealed  
17 package. Retail Wine Licenses may be owned without limitation on  
18 number by retail locations; and

19 3. A Retail Beer License, which shall be required in order to  
20 sell refrigerated or non-refrigerated beer in the original sealed  
21 package. Retail Beer Licenses may be owned without limitation on  
22 number by retail locations.

23 B. As used in this section, the term "retail location" shall  
24 include, but not be limited to:

1 1. Supermarkets, grocery stores, convenience stores, drug  
2 stores, warehouse, clubs and supercenters as defined by law; and/or

3 2. Retail outlets which were authorized to legally sell low  
4 point beer as of the effective date of this section.

5 C. The Legislature shall, by law, prescribe a set of licenses  
6 for the sale of alcoholic beverages to consumers for on-premise  
7 consumption, which may include the sale of spirits, wine and/or  
8 beer, provided that such sales of alcoholic beverages by the  
9 individual drink have been authorized by the voters in the specific  
10 county where the alcoholic beverages are sold, either prior to or  
11 after the enactment of this Article.

12 SECTION 2. The Ballot Title for the proposed resolution shall  
13 be in the following form:

14 BALLOT TITLE  
15 Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

16 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

17 This measure amends Section 3 of Article 28A of the Oklahoma  
18 Constitution. It eliminates the prohibition against the sale of  
19 refrigerated spirits by retail spirits licensees.

20 SHALL THE PROPOSAL BE APPROVED?

21 FOR THE PROPOSAL - YES \_\_\_\_\_

22 AGAINST THE PROPOSAL - NO \_\_\_\_\_

23 SECTION 3. The Chief Clerk of the House of Representatives,  
24 immediately after the passage of this resolution, shall prepare and

1 file one copy thereof, including the Ballot Title set forth in  
2 SECTION 2 hereof, with the Secretary of State and one copy with the  
3 Attorney General.

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5 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/04/2024 - DO PASS,  
6 As Amended and Coauthored.

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