

1 **SENATE FLOOR VERSION**

2 February 6, 2024

3 SENATE BILL NO. 1762

By: Coleman

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

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

13 SECTION 1. AMENDATORY 37A O.S. 2021, Section 2-129, is
14 amended to read as follows:

15 Section 2-129. A. A charitable auction or charitable alcoholic
16 beverage event license may be issued to a charitable organization
17 exempt from taxation under Section 501(c)(3), (4), (5), (6), (7),
18 (8), (9), (10) or (19) of the United States Internal Revenue Code.
19 The charitable alcoholic beverage event license shall authorize the
20 holder thereof to conduct a wine, spirit and/or beer event which may
21 consist of one or more of a wine, spirit and/or beer-tasting event,
22 a wine, spirit and/or beer dinner event or a wine, spirit and/or
23 beer auction, which may be either a live auction conducted by an
24 auctioneer or a silent auction for which:

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

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

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

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

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

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

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

19 F. No charitable alcoholic beverage event license shall be
20 required for an organization, association or nonprofit corporation
21 which is an economic development chamber or similar entity, provided
22 the event is not conducted primarily for fundraising purposes, and
23 provided the services of a licensed caterer are used to provide and
24 distribute the alcoholic beverages at the event.

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

5 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
6 February 6, 2024 - DO PASS
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