

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

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

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1270

By: Hays of the House

and

Alvord of the Senate

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10                                   COMMITTEE SUBSTITUTE

11                   An Act relating to alcoholic beverages; amending 37A  
12                   O.S. 2021, Section 2-142, which relates to  
13                   information furnished by license applicants;  
14                   providing that the Oklahoma Alcoholic Beverage Law  
15                   Enforcement Commission (ABLE) shall notify an  
16                   applicant in writing of any deficiencies in the  
17                   application with a description of what actions need  
18                   to be taken to cure the deficiencies within a certain  
19                   time period; providing that applicant will then have  
20                   a reasonable period of time to provide the required  
21                   information; providing time period for ABLE to  
22                   approve or deny an application; providing for manner  
23                   of a denial to be delivered and what information must  
24                   be given to the applicant by ABLE; providing that the  
                 failure of ABLE to adhere to provided provisions  
                 shall result in a presumptive issuance of the license  
                 subject to review by the ABLE Commission; and  
                 providing an effective date.

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

1 SECTION 1. AMENDATORY 37A O.S. 2021, Section 2-142, is  
2 amended to read as follows:

3 Section 2-142. A. No license provided for in the Oklahoma  
4 Alcoholic Beverage Control Act shall be issued except pursuant to an  
5 application filed with the ABLE Commission. The ABLE Commission  
6 may, however, provide for a form of simplified application for  
7 renewal of a license. Payment of the prescribed fee shall accompany  
8 each application for a license.

9 B. Every applicant for an original license, except applicants  
10 for an employee, charitable event, special event or airline/railroad  
11 beverage license, shall also furnish the following:

12 1. A tax receipt proving payment of ad valorem taxes, including  
13 real and personal taxes, or furnish to the ABLE Commission  
14 satisfactory evidence that no taxes are due or delinquent;

15 2. A certificate of zoning issued by the municipality in which  
16 the applicant proposes to locate the applicant's principal place of  
17 business under the license, or by the county if the principal place  
18 of business is located outside the incorporated limits of a  
19 municipality, certifying that the applicant's proposed location and  
20 use thereof comply with all municipal zoning ordinances or county  
21 zoning regulations if applicable;

22 3. A certificate issued by the municipality in which the  
23 applicant proposes to locate the applicant's principal place of  
24 business under the license, or by the county if the principal place

1 of business is located outside the incorporated limits of a  
2 municipality, certifying that the applicant's existing or proposed  
3 operations under the license comply with all municipal or county  
4 fire codes, safety codes, or health codes, if applicable;

5 4. Authorization, on forms furnished by the ABLE Commission,  
6 for complete investigation of the applicant's current financial  
7 status as it relates to the application for a license, including but  
8 not limited to access to bank accounts, loan agreements and  
9 financial statements;

10 5. A deed, management agreement, purchasing agreement or lease;  
11 and

12 6. Proof of liability insurance covering both bodily injury and  
13 property damage.

14 C. The certificates required by paragraphs 2 and 3 of  
15 subsection B of this section shall be signed by the mayor of the  
16 municipality or the chair of the board of county commissioners  
17 issuing same, unless the municipality, by ordinance, or the county  
18 designates some other officer or entity to issue the certificates.  
19 Applications for such certificates shall be in writing and shall  
20 contain information in such detail as the municipality or county may  
21 reasonably require describing the location and nature of operations  
22 to be conducted under the license. Municipalities and counties  
23 shall be required to act on all applications for such certificates  
24 within twenty (20) days of receipt of the written application.

1 D. Municipalities and counties may grant conditional  
2 certificates for premises proposed for licensed operations for which  
3 construction, modification or alteration is not completed.  
4 Conditional certificates shall indicate that the proposed premises  
5 will comply with the municipal or county zoning, fire, safety and  
6 health codes. The granting of conditional certificates shall not  
7 relieve the applicant of the duty of obtaining the certificates  
8 required by paragraphs 2 and 3 of subsection B of this section after  
9 completion of the construction, modification, or alteration.

10 E. A municipality or county shall issue the certificates  
11 required by paragraphs 2 and 3 of subsection B of this section  
12 within ten (10) days after all final inspections are completed.

13 Thereafter if a licensee fails to maintain compliance with  
14 municipal or county zoning ordinances and codes, the mayor or chair  
15 of the board of county commissioners or their designee, shall  
16 forthwith notify the ABLE Commission in writing setting forth  
17 details of the noncompliance.

18 F. Within ten (10) days of the receipt of all information  
19 required in subsections B through E of this section, ABLE shall  
20 notify the applicant in writing of any deficiencies in the  
21 application with a description of what actions need to be taken to  
22 cure the deficiencies. Applicant will then have a reasonable period  
23 of time to provide the additional information sufficient to complete  
24 the application. Upon a completed application, ABLE shall issue or

1 deny the license within twenty (20) days of applicant's final  
2 submission. ABLE'S denial of issuance of a license shall be in  
3 writing and shall state with specificity the reasons for the denial.

4 G. Upon issuance of any license, the ABLE Commission shall  
5 furnish the Oklahoma Tax Commission with a list of such licenses.

6 ~~G.~~ H. In the event of denial of an application for a license,  
7 the ABLE Commission shall refund to the applicant the amount of the  
8 tendered fee, less ten percent (10%), which it shall retain as cost  
9 of processing the application.

10 ~~H.~~ I. Any licensee, except an employee licensee, who fails to  
11 renew the license prior to the expiration date of the license, shall  
12 be subject to a late renewal penalty as provided by rules of the  
13 ABLE Commission. Further, any licensee, except an employee  
14 licensee, who fails to renew the license within sixty (60) days of  
15 the expiration of the license shall be required to submit a new  
16 license application. An employee licensee who fails to renew prior  
17 to the expiration of the license shall be required to submit a new  
18 license application; provided, however, that under no circumstances  
19 shall any licensee, including an employee licensee, whose license to  
20 serve or sell alcoholic beverages has expired, continue to serve or  
21 sell alcoholic beverages.

22 ~~I.~~ J. The requirements in this section shall be required for a  
23 public event license applicant, except for those certificates  
24 required by paragraphs 2 and 3 of subsection B of this section as

1 the events are temporary in nature and the locations are not  
2 permanently licensed.

3 SECTION 2. This act shall become effective November 1, 2025.  
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5 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
6 OVERSIGHT, dated 03/06/2025 - DO PASS, As Amended.  
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