

1 **SENATE FLOOR VERSION**

2 February 13, 2025

3 SENATE BILL NO. 24

By: Coleman

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6 An Act relating to retail spirits licensees; amending
7 37A O.S. 2021, Section 6-103, as last amended by
8 Section 1, Chapter 200, O.S.L. 2023 (37A O.S. Supp.
9 2024, Section 6-103), which relates to prohibited
10 acts; allowing for licensed premises to operate a
11 specified distance outside of city limits; updating
12 statutory language; and providing an effective date.

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

14 SECTION 1. AMENDATORY 37A O.S. 2021, Section 6-103, as
15 last amended by Section 1, Chapter 200, O.S.L. 2023 (37A O.S. Supp.
16 2024, Section 6-103), is amended to read as follows:

17 Section 6-103. A. No retail spirits licensee shall:

18 1. Purchase or receive any alcoholic beverage other than from a
19 wine and spirits wholesaler, beer distributor, winery or small
20 brewer self-distribution licensee who elects to self-distribute;

21 2. Suffer or permit any retail container to be opened, or any
22 alcoholic beverage to be consumed on the licensed premises, except
23 when serving samples as authorized by Section 2-109 of this title or
24 otherwise permitted by law; provided, the licensee shall not permit
any alcoholic beverage content or retail container unsealed in

1 connection with sampling authorized by Section 2-109 of this title
2 to remain on the licensed premises at the close of business on that
3 day, excluding spirits;

4 3. Sell any alcoholic beverages at any hour other than between
5 the hours of 8:00 a.m. and midnight Monday through Saturday, and
6 shall not be permitted to be open on Thanksgiving Day or Christmas
7 Day; provided, a county may, pursuant to the provisions of
8 subsections B and C of Section 3-124 of this title, elect to allow
9 such sales between the hours of noon and midnight on Sunday. Retail
10 spirits licensees shall be permitted to sell alcoholic beverages on
11 the day of any General, Primary, Runoff Primary or Special Election
12 whether on a national, state, county or city election, provided that
13 the election day does not occur on any day on which such sales are
14 otherwise prohibited by law;

15 4. Sell spirits in a city or town, unless such city or town has
16 a population in excess of two hundred (200) according to the latest
17 Federal Decennial Census, or the licensee operates within two (2)
18 miles of the city limits of a city or town with a population in
19 excess of twenty thousand (20,000) according to the latest Federal
20 Decennial Census;

21 5. Sell any alcoholic beverage on credit; provided, that
22 acceptance by a licensee of a cash or debit card or a nationally
23 recognized credit card in lieu of actual cash payment does not
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1 constitute the extension of credit; provided, further, as used in
2 this section:

3 a. "cash or debit card" means any instrument or device
4 whether known as a debit card or by any other name,
5 issued with or without fee by an issuer for the use of
6 the cardholder in depositing, obtaining or
7 transferring funds from a consumer banking electronic
8 facility, and

9 b. "nationally recognized credit card" means any
10 instrument or device, whether known as a credit card,
11 credit plate, charge plate or by any other name,
12 issued with or without fee by an issuer for the use of
13 the cardholder in obtaining money, goods, services or
14 anything else of value on credit which is accepted by
15 over one hundred retail locations;

16 6. Offer or furnish any prize, premium, gift or similar
17 inducement to a consumer in connection with the sale of alcoholic
18 beverages, except that goods or merchandise included by the
19 manufacturer in packaging with alcoholic beverages or for packaging
20 with alcoholic beverages shall not be included in this prohibition,
21 but no wholesaler or retailer shall sell any alcoholic beverage
22 prepackaged with other goods or merchandise at a price which is
23 greater than the price at which the alcoholic beverage alone is
24 sold; provided, it shall not be considered inducement or a premium

1 for a retail spirits licensee to have an advertised price posted
2 higher online than the shelf price on the licensed premises; or

3 7. Pay for alcoholic beverages by a check or draft which is
4 dishonored by the drawee when presented to such drawee for payment;
5 and the ~~ABLE~~ Alcoholic Beverage Laws Enforcement (ABLE) Commission
6 may cancel or suspend the license of any retailer who has given a
7 check or draft, as maker or endorser, which is so dishonored upon
8 presentation.

9 B. No retail spirits licensee shall permit any person under
10 twenty-one (21) years of age to enter into or remain within or about
11 the licensed premises unless accompanied by the person's parent or
12 legal guardian; provided, however, this restriction shall not apply
13 to an employee of a licensed beer distributor or wine and spirits
14 wholesaler who:

15 1. Is at least eighteen (18) years of age;

16 2. Is accompanied by a coworker at least twenty-one (21) years
17 of age; and

18 3. Enters for the sole purpose of merchandising or delivering
19 product to the licensee in the normal course of business.

20 SECTION 2. This act shall become effective November 1, 2025.

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

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