

1 **SENATE FLOOR VERSION**

2 February 13, 2025

3 SENATE BILL NO. 344

By: Coleman

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6 An Act relating to alcoholic beverages; amending 37A
7 O.S. 2021, Section 6-108, which relates to retail
8 wine or beer licenses; expanding exemption for
9 offering certain inducements to a consumer for a sale
10 of beer or wine; updating statutory language; and
11 providing an effective date.

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

13 SECTION 1. AMENDATORY 37A O.S. 2021, Section 6-108, is
14 amended to read as follows:

15 Section 6-108. No holder of a ~~Retail Wine License~~ retail wine
16 license or a ~~Retail Beer License~~ retail beer license shall:

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

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

1 title to remain on the licensed premises at the close of the
2 business on that day;

3 3. Sell any beer or wine at any hour other than between the
4 hours of 6:00 a.m. and 2:00 a.m. the following day, Monday through
5 Sunday. Retail wine and retail beer licensees shall be permitted to
6 sell beer and wine on the day of any General, Primary, Runoff
7 Primary or Special Election whether on a national, state, county or
8 city election;

9 4. Sell any beer and wine on credit; except as follows:

10 a. the acceptance by a grocery store, convenience store
11 or drug store of a cash or debit card, or a nationally
12 recognized credit card, in lieu of actual cash payment
13 does not constitute the extension of credit; provided,
14 further, as used in this section:

15 (1) "cash or debit card" means any instrument or
16 device whether known as a debit card or by any
17 other name, issued with or without fee by an
18 issuer for the use of the cardholder in
19 depositing, obtaining or transferring funds from
20 a consumer banking electronic facility, and

21 (2) "nationally recognized credit card" means any
22 instrument or device, whether known as a credit
23 card, credit plate, charge plate or by any other
24 name, issued with or without fee by an issuer for

1 the use of the cardholder in obtaining money,
2 goods, services or anything else of value on
3 credit which is accepted by over one hundred
4 retail locations, and

5 b. when the holder of a ~~Retail Wine License~~ retail wine
6 license, ~~Retail Beer License~~ retail beer license, or
7 ~~Mixed Beverage License~~ mixed beverage license is a
8 private membership club, marina, golf course or
9 country club that normally charges food, drinks and
10 other purchases to the member's monthly dues account
11 in the regular course of business, in lieu of actual
12 cash payment at the time of purchase, such practice
13 does not constitute the extension of credit;

14 5. Offer or furnish any prize, premium, gift or similar
15 inducement to a consumer in connection with the sale of beer or
16 wine, except ~~that~~ that:

17 a. goods or merchandise included by the manufacturer in
18 packaging with beer or wine or for packaging with beer
19 or wine ~~shall not be included in this prohibition~~, nor
20 shall a retail wine or retail beer license holder
21 selling wine or beer at a multiunit discount be
22 included in this prohibition; ~~but~~ provided, that no
23 retail wine or retail beer licensee shall sell any
24 beer or wine prepackaged with other goods or

1 merchandise at a price which is greater than the price
2 at which the alcoholic beverage alone is sold, and
3 b. retail packages at discount, at the discretion of the
4 licensee, for individuals of specific professions and
5 current or former members of the United States Armed
6 Forces. No discount shall make the retail price lower
7 than six-percent markup as applicable in Section 3-118
8 of this title; or

9 6. Pay for beer or wine by a check or draft which is dishonored
10 by the drawee when presented to such drawee for payment; and the
11 ~~ABLE~~ Alcoholic Beverage Laws Enforcement (ABLE) Commission may
12 cancel or suspend the license of any retailer who has given a check
13 or draft, as maker or endorser, which is so dishonored upon
14 presentation.

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

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