

1 **SENATE FLOOR VERSION**

2 March 6, 2025

3 **AS AMENDED**

4 SENATE BILL NO. 520

5 By: Coleman of the Senate

6 and

7 Marti of the House

8 **[ alcoholic beverage licenses - prohibited acts of**  
9 **licensees - intent - effective date ]**

10  
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 37A O.S. 2021, Section 6-102, as  
13 last amended by Section 8, Chapter 338, O.S.L. 2023 (37A O.S. Supp.  
14 2024, Section 6-102), is amended to read as follows:

15 Section 6-102. A. No licensee of the ABLE Commission shall:

16 1. ~~Receive~~ Knowingly receive, possess or sell any alcoholic  
17 beverage except as authorized by the Oklahoma Alcoholic Beverage  
18 Control Act and by the license or permit which the licensee holds;

19 2. Employ any person under eighteen (18) years of age in the  
20 selling of beer or wine or employ any person under twenty-one (21)  
21 years of age in the selling of spirits. Provided:

22 a. a mixed beverage, beer and wine, caterer, public  
23 event, special event, bottle club, retail wine or  
24 retail beer licensee may employ servers or sales

1 clerks who are at least eighteen (18) years of age,  
2 except persons under twenty-one (21) years of age may  
3 not serve in designated bar or lounge areas, and

4 b. a mixed beverage, beer and wine, caterer, public  
5 event, special event or bottle club licensee may  
6 employ or hire musical bands who have musicians who  
7 are under eighteen (18) years of age if each such  
8 musician is either accompanied by a parent or legal  
9 guardian or has on their person, to be made available  
10 for inspection upon demand by any employee of the ABLE  
11 Commission or law enforcement officer, a written,  
12 notarized affidavit from the parent or legal guardian  
13 giving the underage musician permission to perform in  
14 designated bar or lounge areas;

15 3. Give any alcoholic beverage as a prize, premium or  
16 consideration for any lottery, game of chance or skill or any type  
17 of competition;

18 4. Use any of the following means or inducements to stimulate  
19 the consumption of alcoholic beverages, including but not limited  
20 to:

21 a. deliver more than two drinks to one person at one  
22 time, except:

23 (1) as provided for serving tasting flights defined  
24 in Section 6-102.1 of this title, or

1 (2) up to six (6) bottles or cans of beer in the  
2 original packaging for on-premises consumption  
3 may be delivered to one person at one time in a  
4 reusable container, including but not limited to  
5 a bucket or insulated cooler which may be cooled  
6 by ice or another cooling method,

7 b. sell or offer to sell to any person or group of  
8 persons any drinks at a price that is less than six  
9 percent (6%) below the markup of the cost to the mixed  
10 beverage licensee; provided, a mixed beverage licensee  
11 shall be permitted to offer these drink specials on  
12 any particular hour of any particular day and shall  
13 not be required to offer these drink specials for an  
14 entire calendar week or from open to close, and shall  
15 not be required to offer such drink specials at all  
16 venues operating under the same mixed beverage  
17 license; provided, a mixed beverage licensee selling  
18 wine, beer, or cocktails to-go shall be permitted to  
19 offer these to-go drinks at a different price than on-  
20 premises drinks,

21 c. sell or offer to sell to any person an unlimited  
22 number of drinks during any set period of time for a  
23 fixed price, except at private functions not open to  
24 the public,

- 1           d.    sell or offer to sell drinks to any person or group of  
2                    persons on any one day or portion thereof at prices  
3                    less than those charged the general public on that  
4                    day, except at private functions not open to the  
5                    public,
- 6           e.    increase the volume of alcoholic beverages contained  
7                    in a drink without increasing proportionately the  
8                    price regularly charged for such drink during the same  
9                    calendar week, or
- 10          f.    encourage or permit, on the licensed premises, any  
11                    game or contest which involves drinking or the  
12                    awarding of drinks as prizes.

13            Provided, that the provisions of this paragraph shall not  
14   prohibit the advertising or offering of food, entertainment or  
15   bottle service in licensed establishments;

16           5.   Permit or allow any patron or person to exit the licensed  
17   premises with an open container of any alcoholic beverage.

18   Provided, this prohibition shall not be applicable to closed  
19   original containers of alcoholic beverages which are carried from  
20   the licensed premises of a bottle club by a patron, closed original  
21   wine containers removed from the premises of restaurants, hotels and  
22   motels, or to closed original containers of alcoholic beverages  
23   transported to and from the place of business of a licensed caterer  
24   by the caterer or an employee of the caterer;

1       6. Serve or sell alcoholic beverages with an expired license  
2 issued by the ABLE Commission;

3       7. Permit any person to be drunk or intoxicated on the  
4 licensee's licensed premises; or

5       8. Permit or allow any patron to serve or pour himself or  
6 herself any alcoholic beverage, except a licensee may offer a patron  
7 self-pour service of beer or wine, or both, from automated devices  
8 on licensed premises so long as:

9           a. the licensee monitors and has the ability to control  
10 the dispensing of such beer or wine, or both, from the  
11 automated devices. "Automated device" shall mean any  
12 mechanized device capable of dispensing wine or beer,  
13 or both, directly to a patron in exchange for  
14 compensation that a licensee has received directly  
15 from the patron, and

16           b. each licensee offering a patron self-pour service of  
17 wine or beer, or both, from any automated device shall  
18 provide constant video monitoring of the automated  
19 device at all times during which the licensee is open  
20 to the public. The licensee shall keep recorded  
21 footage from the video monitoring for at least sixty  
22 (60) days, and shall provide the footage, upon  
23 request, to any agent of the Director of the ABLE  
24 Commission or other authorized law enforcement agent.

1 B. 1. The compensation required by subparagraph a of paragraph  
2 8 of subsection A of this section shall be in the form of a radio  
3 frequency identification (RFID) device, mobile application or any  
4 other technology approved by the ABLE Commission containing a fixed  
5 amount of volume of thirty-two (32) ounces for beer and ten (10)  
6 ounces for wine that may be directly exchanged for beer or wine  
7 dispensed from the automated device:

8 a. RFID devices may be assigned, used or reactivated only  
9 during a business day,

10 b. each RFID device shall be obtained from the licensee  
11 by a patron,

12 c. a licensee shall not issue more than one active RFID  
13 device to a patron, and

14 d. an RFID device shall be deemed active if the RFID  
15 device contains volume credit or has not yet been used  
16 to dispense ten (10) ounces of wine or thirty-two (32)  
17 ounces of beer.

18 2. In order to obtain an RFID device from a licensee, each  
19 patron shall produce a valid driver license, identification card or  
20 other government-issued document that contains a photograph of the  
21 individual and demonstrates that the individual is at least twenty-  
22 one (21) years of age. Each RFID device shall be programmed to  
23 require the production of the patron's valid identification before  
24

1 the RFID device can be used for the first time during any business  
2 day or for any subsequent reactivation.

3 3. Each RFID device shall become inactive at the end of each  
4 business day.

5 4. Each RFID device shall be programmed to allow the dispensing  
6 of no more than ten (10) ounces of wine or thirty-two (32) ounces of  
7 beer to a patron:

8 a. once an RFID device has been used to dispense ten (10)  
9 ounces of wine or thirty-two (32) ounces of beer to a  
10 patron, the RFID device shall become inactive, and

11 b. any patron in possession of an inactive RFID device  
12 may, upon production of the patron's valid  
13 identification to the licensee or licensee's employee,  
14 have the RFID device reactivated to allow the  
15 dispensing of an additional ten (10) ounces of wine or  
16 thirty-two (32) ounces of beer from an automated  
17 device.

18 Paragraphs 1, 2, 3 and 4 of this subsection shall not apply to wine  
19 or beer that is dispensed directly to the licensee or the licensee's  
20 agent or employee.

21 C. A mixed beverage or beer and wine licensee shall not be  
22 deemed to have violated the provisions of paragraph 5 of subsection  
23 A of this section if it allowed a patron to leave the licensed  
24 premises with an open container of beer or wine only and:

1           1. The otherwise prohibited act was committed during the hours  
2 of 8 a.m. to midnight on the day of a scheduled home football game  
3 of institutions within The Oklahoma State System of Higher  
4 Education, and the establishment is located within two thousand  
5 (2,000) feet of the institution;

6           2. The licensee is participating by invitation in a municipally  
7 sanctioned art, music or sporting event within city limits when the  
8 municipality has provided written notice of the event and a list of  
9 invited licensees to the ABLE Commission at least five (5) days  
10 prior to the event; or

11           3. The patron remains on the connected, physical property of  
12 the licensee or in a public area adjacent to the physical property  
13 of the licensee with prior municipal approval; provided, that  
14 written notice of the use of the connected, physical property of the  
15 licensee or public area shall be provided to the ABLE Commission at  
16 least five (5) days prior to such use.

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

18 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND INSURANCE  
19 March 6, 2025 - DO PASS AS AMENDED  
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