

1 **SENATE FLOOR VERSION**

2 April 10, 2025

3 ENGROSSED HOUSE  
4 BILL NO. 1270

By: Hays of the House

5 and

6 Alvord of the Senate

7  
8 An Act relating to alcoholic beverages; amending 37A  
9 O.S. 2021, Section 2-142, which relates to  
10 information furnished by license applicants;  
11 directing the Alcoholic Beverage Laws Enforcement  
12 (ABLE) Commission to notify applicants of  
13 deficiencies in submitted applications allowing  
14 applicants time to provide required information;  
15 providing time period and procedures for approving  
16 and denying applications; and providing an effective  
17 date.

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

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

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

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

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

7 2. A certificate of zoning issued by the municipality in which  
8 the applicant proposes to locate the applicant's principal place of  
9 business under the license, or by the county if the principal place  
10 of business is located outside the incorporated limits of a  
11 municipality, certifying that the applicant's proposed location and  
12 use thereof comply with all municipal zoning ordinances or county  
13 zoning regulations if applicable;

14 3. A certificate issued by the municipality in which the  
15 applicant proposes to locate the applicant's principal place of  
16 business under the license, or by the county if the principal place  
17 of business is located outside the incorporated limits of a  
18 municipality, certifying that the applicant's existing or proposed  
19 operations under the license comply with all municipal or county  
20 fire codes, safety codes, or health codes, if applicable;

21 4. Authorization, on forms furnished by the ABLE Commission,  
22 for complete investigation of the applicant's current financial  
23 status as it relates to the application for a license, including but  
24

1 not limited to access to bank accounts, loan agreements and  
2 financial statements;

3 5. A deed, management agreement, purchasing agreement or lease;  
4 and

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

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

18 D. Municipalities and counties may grant conditional  
19 certificates for premises proposed for licensed operations for which  
20 construction, modification or alteration is not completed.  
21 Conditional certificates shall indicate that the proposed premises  
22 will comply with the municipal or county zoning, fire, safety and  
23 health codes. The granting of conditional certificates shall not  
24 relieve the applicant of the duty of obtaining the certificates

1 required by paragraphs 2 and 3 of subsection B of this section after  
2 completion of the construction, modification, or alteration.

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

6 Thereafter if a licensee fails to maintain compliance with  
7 municipal or county zoning ordinances and codes, the mayor or chair  
8 of the board of county commissioners or their designee, shall  
9 forthwith notify the ABLE Commission in writing setting forth  
10 details of the noncompliance.

11 F. Within ten (10) days of the receipt of all information  
12 required in subsections B through E of this section, the ABLE  
13 Commission shall notify the applicant in writing of any deficiencies  
14 in the application with a description of what actions need to be  
15 taken to cure the deficiencies. The applicant will then have a  
16 reasonable period of time to provide the additional information  
17 sufficient to complete the application. Upon a completed  
18 application, the ABLE Commission shall issue or deny the license  
19 within twenty (20) days of the applicant's final submission. The  
20 ABLE Commission's denial of issuance of a license shall be in  
21 writing and shall state with specificity the reasons for the denial.

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

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

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

17       ~~I.~~ J. The requirements in this section shall be required for a  
18 public event license applicant, except for those certificates  
19 required by paragraphs 2 and 3 of subsection B of this section as  
20 the events are temporary in nature and the locations are not  
21 permanently licensed.

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

23       COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND INSURANCE  
24       April 10, 2025 - DO PASS