

1 ENGROSSED SENATE
2 BILL NO. 1173

By: David of the Senate

3 and

4 Hall of the House

5
6 An Act relating to alcoholic beverages; amending
7 Section 80, Chapter 366, O.S.L. 2016, as amended by
8 Section 15, Chapter 364, O.S.L. 2017 (37A O.S. Supp.
9 2017, Section 3-110), which relates to licensed beer
10 distributor; removing requirement for certain person
11 to operate certain conveyance; and providing an
12 effective date.

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

14 SECTION 1. AMENDATORY Section 80, Chapter 366, O.S.L.
15 2016, as amended by Section 15, Chapter 364, O.S.L. 2017 (37A O.S.
16 Supp. 2017, Section 3-110), is amended to read as follows:

17 Section 3-110. A. A licensed distributor designated as the
18 licensed distributor for a beer brand within a designated sales
19 territory shall present that beer brand for sale to all on-premise
20 licensees on the same price basis and without discrimination and to
21 all off-premise licensees on the same price basis within a
22 particular county and without discrimination. A licensed
23 distributor shall not sell, supply or deliver, either directly or
24 indirectly through a third party, a beer brand to a licensed
retailer outside of the designated sales territory of the designated
distributor nor to any person the licensed distributor has reason to

1 believe will sell or supply any quantity of the beer brand to any
2 retail location outside of the designated sales territory of the
3 designated distributor.

4 B. All beer shall only be transported by a marked conveyance
5 owned or leased by the licensed distributor ~~and operated by the~~
6 ~~licensed distributor or an employee of the distributor~~ for the
7 products of a licensed manufacturer within the designated sales
8 territory to the address and location of a licensed retailer within
9 that designated sales territory.

10 C. Any beer sold by the licensed distributor shall not be
11 delivered to, received by or stored at any place other than the
12 address and location of the licensed retailer for which state and
13 local retailer licenses or permits have been issued.

14 D. With the approval of the licensed manufacturer, a licensed
15 distributor may sell the designated brands to a licensed retailer
16 located in a designated sales territory of another licensed
17 distributor if that licensed distributor is temporarily unable for
18 any reason to provide the designated brands of the licensed
19 manufacturer within its designated sales territory.

20 E. All beer purchased by a licensed distributor for resale in
21 this state shall physically come into the possession of the licensed
22 distributor and be unloaded in and distributed from the licensed
23 warehouses of the licensed distributor located in this state prior
24 to being resold in this state.

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SECTION 2. This act shall become effective October 1, 2018.

Passed the Senate the 14th day of March, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2018.

Presiding Officer of the House
of Representatives