

1 **SENATE FLOOR VERSION**

2 February 6, 2024

3 SENATE BILL NO. 1762

By: Coleman

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6 An Act relating to alcoholic beverages; amending 37A  
7 O.S. 2021, Section 2-129, which relates to charitable  
8 alcoholic beverage licenses; updating statutory  
9 language; exempting certain organizations from  
10 certain amount of licenses issued each year; and  
11 declaring an emergency.

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

13 SECTION 1. AMENDATORY 37A O.S. 2021, Section 2-129, is  
14 amended to read as follows:

15 Section 2-129. A. A charitable auction or charitable alcoholic  
16 beverage event license may be issued to a charitable organization  
17 exempt from taxation under Section 501(c)(3), (4), (5), (6), (7),  
18 (8), (9), (10) or (19) of the United States Internal Revenue Code.  
19 The charitable alcoholic beverage event license shall authorize the  
20 holder thereof to conduct a wine, spirit and/or beer event which may  
21 consist of one or more of a wine, spirit and/or beer-tasting event,  
22 a wine, spirit and/or beer dinner event or a wine, spirit and/or  
23 beer auction, which may be either a live auction conducted by an  
24 auctioneer or a silent auction for which:

1 1. Bid sheets are accepted from interested bidders at the  
2 event;

3 2. The holders of tickets are allowed to bid online for a  
4 period not exceeding thirty (30) days prior to the event; or

5 3. Both bid sheets are accepted at the event and online bids  
6 are accepted pursuant to paragraph 2 of this subsection.

7 B. A charitable alcoholic beverage event shall be conducted  
8 solely to raise funds for charitable purposes. A charitable  
9 alcoholic beverage license shall allow the event attendees access to  
10 tastings, samples, dinners and alcoholic beverages as ~~parts~~ part of  
11 their entrance fee or ticket price. Wine, spirits and/or beer used  
12 in, served or consumed at a charitable alcoholic beverage event may  
13 be purchased by the charitable organization or donated by any person  
14 or entity.

15 C. The charitable alcoholic beverage event license shall be  
16 issued for a period not exceeding four (4) days. Only eight such  
17 licenses may be issued to an organization in any twelve-month  
18 period; provided, that institutions of higher education in this  
19 state shall not be restricted to the maximum number of event  
20 licenses issued in any twelve-month period pursuant to this  
21 subsection. The charitable organization holding a charitable  
22 alcoholic beverage event license shall not be required to obtain a  
23 special event license.

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1 D. Charitable auction and charitable alcoholic beverage event  
2 license holders may also utilize a licensed caterer to provide  
3 additional alcohol services at the event and on the premises.

4 E. The charitable auction license shall authorize the holder  
5 thereof to auction wine, spirits and/or beer purchased from a retail  
6 package store or received as a gift from an individual if the  
7 auction is conducted to raise funds for charitable purposes. The  
8 charitable auction license shall be issued for a period not to  
9 exceed two (2) days. Only four such licenses shall be issued to an  
10 organization in any twelve-month period; provided, that institutions  
11 of higher education in this state shall not be restricted to the  
12 maximum number of auction licenses issued in any twelve-month period  
13 pursuant to this subsection. The maximum amount of wine, spirits  
14 and/or beer auctioned pursuant to the charitable auction license  
15 shall not exceed fifty (50) gallons. All wines, beer and spirits  
16 auctioned pursuant to the charitable auction license shall be  
17 registered and all fees and taxes shall be paid in accordance with  
18 the Oklahoma Alcoholic Beverage Control Act.

19 F. No charitable alcoholic beverage event license shall be  
20 required for an organization, association or nonprofit corporation  
21 which is an economic development chamber or similar entity, provided  
22 the event is not conducted primarily for fundraising purposes, and  
23 provided the services of a licensed caterer are used to provide and  
24 distribute the alcoholic beverages at the event.

1           SECTION 2. It being immediately necessary for the preservation  
2 of the public peace, health or safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
6 February 6, 2024 - DO PASS  
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