

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2178

By: Lowe (Dick)

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6 AS INTRODUCED

7 An Act relating to alcoholic beverages; providing  
8 that a holder of a small farm winery or winemaker  
9 license may serve free samples and sell other items;  
10 providing that wine may be served at off-premises  
11 locations; providing that at public events the  
12 location occupied by the small farm winery or  
13 winemaker licensee becomes a licensed premises and  
14 extension of the licensed small farm winery or  
15 winemaker; requiring a licensee to establish a  
16 serving area; providing that multiple licensees may  
17 combine their serving areas providing that a small  
18 farm winery or winemaker licensee shall not be  
19 required to control a consumer leaving the premise  
20 once served; providing there shall not be any permit  
21 or license required by the event originator,  
22 coordinator, manager or property owner; providing for  
23 codification; and providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 2-162 of Title 37A, unless there  
20 is created a duplication in numbering, reads as follows:

21 A holder of a small farm winery or winemaker license, which  
22 serves wine for on-premises or off-premises consumption, with  
23 permission from the event coordinator/manager or the property owner,  
24 shall be allowed to serve free samples of, sell, or serve Oklahoma-

1 manufactured wine, mulled wine, or spiced wine, mixed with  
2 nonalcoholic beverages or food items, such as water, sugar, fruits  
3 and vegetables, at any temperature, wine produced at the winery or  
4 blended on site at any public event, including but not limited to  
5 festivals, trade shows, boat shows, RV shows, home and garden shows,  
6 fairs, car shows, swap meets, sporting events, city events, county  
7 events, state events for either on-premises or off-premises  
8 consumption, including any public events that are held at the  
9 premises which hold a retail beer license, retail spirits license,  
10 mixed beverage license, beer and wine license, caterer's license,  
11 special event license, public event license, winemaker license,  
12 small farm winery license, charitable auction license, or brewpub  
13 license. When attending a public event, the location within the  
14 event occupied by the small farm winery or winemaker license becomes  
15 a licensed premises and extension of the licensed small farm winery  
16 or winemaker license. The licensee shall set up and define an area  
17 contiguous to their booth space as a serving area where the wine is  
18 dispensed. The licensee may only serve the wine in the serving  
19 area. In the event that multiple winemakers are at the same public  
20 event, they may combine their serving areas into one area as long as  
21 they are contiguous to the winemakers' booths. A small farm winery  
22 or winemaker licensee shall not be required to control the consumer  
23 leaving the premises once served Oklahoma-manufactured wine, mulled  
24 wine, or spiced wine, mixed with nonalcoholic beverages or food

1 items, such as water, sugar, fruits and vegetables, at any  
2 temperature, wine produced at the winery or blended on-site at the  
3 public event. There shall not be any special permit, permit or  
4 license required by the event originator, coordinator, manager, or  
5 property owner to have a small farm winery or winemaker licensee at  
6 his or her event.

7 SECTION 2. This act shall become effective November 1, 2023.

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