

1 4. Be persons of outstanding character, experienced, efficient
2 and successful in business affairs and of good reputation in their
3 communities.

4 B. Members shall execute the loyalty oath required by law for
5 elected state officials before assuming the duties of their office.

6 C. No person shall be appointed who:

7 1. Has been convicted of, or shall have pleaded guilty to, a
8 felony or any violation of any federal or state law concerning the
9 manufacture or sale of alcoholic beverages or cereal malt beverages
10 prior or subsequent to the passage of the Oklahoma Alcoholic
11 Beverage Control Act;

12 2. Has paid a fine or penalty in settlement in any prosecution
13 against the person in any violation of such laws; or

14 3. Shall have forfeited a bond to appear in court to answer
15 charges for any such violation.

16 D. No appointee shall serve if the appointee or any person
17 related to the appointee in the third degree by consanguinity or
18 affinity is an officer, director, employee or stockholder in any
19 corporation or partnership which has as its business the
20 manufacture, sale or distribution of an alcoholic beverage.

21 E. No member of the ABLE Commission shall own, mortgage or
22 lease any retail or wholesale store or warehouse, any establishment
23 selling alcoholic beverages by the individual drink for on-premises
24 consumption, any establishment operated by a caterer who provides

1 alcoholic beverages by the individual drink pursuant to a caterer's
2 license or any bottle club as provided in the alcoholic beverage
3 control laws of this state.

4 F. The provisions of the Oklahoma Alcoholic Beverage Control
5 Act shall not prevent any member of the ABLE Commission from
6 purchasing and possessing, for personal use or use by the members of
7 the member's family or any guests, any alcoholic beverage which may
8 be purchased or kept by any person by virtue of the provisions of
9 the Oklahoma Alcoholic Beverage Control Act.

10 G. In order to establish the qualifications of members of the
11 ABLE Commission, a national criminal history record check as defined
12 in Section 150.9 of Title 74 of the Oklahoma Statutes shall be
13 required for each member.

14 H. A majority of the members of the ABLE Commission shall
15 constitute a quorum to transact business, but no vacancy shall
16 impair the right of the remaining members to exercise all of the
17 powers of the Commission, and every act of a majority of the members
18 shall be deemed to be the act of the ABLE Commission. The ABLE
19 Commission shall appoint the Director as secretary who shall keep a
20 record of all proceedings and official acts of the Commission and
21 who shall be the custodian of all records and perform such other
22 duties as the ABLE Commission shall prescribe.

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1 I. Each member of the ABLE Commission shall receive
2 reimbursement for travel expenses incurred in attending meetings as
3 provided for in the State Travel Reimbursement Act.

4 J. The office of the ABLE Commission shall be in Oklahoma City
5 in office space provided by the Office of Management and Enterprise
6 Services. All meetings of the ABLE Commission shall be open to the
7 public and all records of the ABLE Commission shall be public
8 records and open for public inspection. The ABLE Commission shall
9 hold regular meetings at least once a month ~~at its office~~ and may
10 hold such special meetings as it deems necessary at any time and at
11 any place within the state.

12 K. The ABLE Commission, for authentication of its records,
13 process and proceedings, may adopt, keep and use a common seal, of
14 which seal judicial notice shall be taken in all the courts of the
15 state. Any process, notice or other paper which the ABLE Commission
16 may be authorized by law to issue shall be deemed sufficient if
17 signed by the secretary of the ABLE Commission and authenticated by
18 such seal. All acts, orders, proceedings, rules, regulations,
19 entries, minutes and other records of the ABLE Commission, and all
20 reports and documents filed with the ABLE Commission may be proved
21 in any court of this state by copy thereof certified by the
22 secretary of the ABLE Commission with the seal of the ABLE
23 Commission attached.

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1 L. The ABLE Commission shall not adopt or promulgate any rule
2 or regulation inconsistent with the provisions of the Oklahoma
3 Alcoholic Beverage Control Act or any law of this state.

4 SECTION 2. This act shall become effective November 1, 2024.

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6 COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO AND CONTROLLED
7 SUBSTANCES, dated 02/21/2024 - DO PASS, As Coauthored.

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