

# SUMMARY OF OKLAHOMA'S ALCOHOL LAWS

## **SALES TO AN UNDERAGE PERSON**

Any person who shall knowingly sell, furnish or give alcoholic beverage to a person under twenty-one (21) years of age shall be guilty of a misdemeanor for a first violation, and upon conviction shall be fined not more than Five Hundred Dollars (\$500.00), or imprisoned in the county jail for not more than one (1) year, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation shall be guilty of a felony, and shall be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five Thousand Dollars (\$5,000.00), or imprisoned in the State Penitentiary for not more than five (5) years, or by both such fine and imprisonment. The ABLE Commission shall revoke the license of any person convicted of a violation of this section.

## **SALES TO INTOXICATED PERSONS**

Any person who shall knowingly sell, furnish or give alcoholic beverage to an insane, mentally deficient or intoxicated person shall be guilty of a misdemeanor for a first violation, and upon conviction shall be fined not more than Five Hundred Dollars (\$500.00), or imprisoned in the county jail for not more than one (1) year, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation shall be guilty of a felony, and shall be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five Thousand Dollars (\$5,000.00), or imprisoned in the State Penitentiary for not more than five (5) years, or by both such fine and imprisonment. The ABLE Commission shall revoke the license of any person convicted of a violation of this section.

## **PERMITTING INTOXICATED PERSONS TO LOITER**

Any person operating a cafe, restaurant, club or any place of recreation who permits any person to be drunk or intoxicated in said place of business shall be guilty of a misdemeanor, and shall be fined not more than One Hundred Dollars (\$100.00), or imprisoned for not more than thirty (30) days or by both such fine and imprisonment.

## **DESIGNATED BAR AREAS**

Allow any person under twenty-one (21) years of age to enter into, remain within the designated bar area of the licensed premises, except persons who incidentally pass through the designated bar area.

## **ILLEGAL CONDUCT**

Permit any illegal gambling activity, violations of the state narcotic and dangerous drug laws, or prostitution activity or any other criminal conduct to occur on the licensed premises;

Permit or tolerate any conduct or language which is intended to threaten another with physical harm or any fighting or offensive physical contact, in or upon the licensed premises or areas just outside the licensed premises which are controlled by the licensee.

## PRESENTING FALSE IDENTIFICATION

Any person under twenty-one (21) years of age who shall misrepresent his age in writing or by presenting false documentation of age for the purpose of inducing any person to sell or serve him alcoholic beverage or issue him a bottle club membership card, or who enters or attempts to enter a package store or a separate or enclosed bar area as designated by the ABLE Commission, shall be guilty of a misdemeanor and fined not more than Fifty Dollars (\$50.00). In addition, if a person is convicted or pleads guilty to a violation of the provisions of this subsection in any court having jurisdiction over said offense, the court may order the Department of Public Safety to cancel or deny the offender's privilege to operate a motor vehicle and, upon such order, shall require that the operator's or chauffeur's license, if any, be surrendered to the Department pursuant to Section 6-209 of Title 47 of the Oklahoma Statutes. The cancellation or denial period shall be for one (1) year, or until the person reaches twenty-one (21) years of age, whichever is longer.

## HOURS

No alcoholic beverages may be sold, dispensed, served or consumed for on-premise locations:

- Restaurants/Bars - 2:00 a.m. to 8:00 a.m.
  - o Penalty - Up to 20 day license suspension and up to \$1000.00 fine.

No alcoholic beverages may be sold for off-premise locations:

- Convenience Stores - 2:00 a.m. to 6:00 a.m.
- Retail Package Stores - 12:00 a.m. to 8:00 a.m. and no sales on Sunday unless approved by county vote.
  - o Penalty - Misdemeanor first offense, felony second offense, and up to \$1,000.00 fine.

## "PUBLIC DRUNK"

Any person who shall engage in any of the following and disturb the peace of any person:

1. In any public place, or in or upon any passenger coach, streetcar, or in or upon any other vehicle commonly used for the transportation of passengers, or in or about any depot, platform, waiting station or room, drink or otherwise consume any intoxicating liquor unless authorized by this act, intoxicating substance or intoxicating compound of any kind, or inhale glue, paint or other intoxicating substance;
2. Be drunk or intoxicated in any public or private road, or in any passenger coach, streetcar or any public place or building, or at any public gathering, from drinking or consuming such intoxicating liquor, intoxicating substance or intoxicating compound or from inhalation of glue, paint or other intoxicating substance; or
3. Be drunk or intoxicated from any cause, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Ten Dollars (\$10.00), nor more than One Hundred Dollars (\$100.00) or by imprisonment for not less than five (5) days nor more than thirty (30) days or by both such fine and imprisonment.

## EMPLOYEE LICENSE TRAINING

Training is required for all new licensees or those that allowed their license to lapse within 2 weeks of applying for an employee license. Employees must attend an ABLE certified training. Failure of an employee to comply may constitute a revocable offense.