

BILL SUMMARY
1st Session of the 59th Legislature

| | |
|------------------------|----------------------------------|
| Bill No.: | SB809 |
| Version: | CCR |
| Request Number: | |
| Author: | Rep. McEntire |
| Date: | 5/30/2024 |
| Impact: | OTC Analysis: Unknown |

Research Analysis

SB809 modifies the definition of "cocktail" or "mixed drink" under the Oklahoma Cocktails To Go Act, expanding beyond the current law's specified examples. The measure permits mixed beverage and mixed beverage/caterer combination licensees to offer curbside pickup and delivery services.

Additionally, customers are permitted to transport a sealed container from the licensed establishment after purchasing a cocktail, provided they are instructed by the licensee to store it out of reach in the driver's compartment.

Prepared By: Stefne Miller

Fiscal Analysis

In its current form, SB809 modifies the definitions of *cocktail* and *mixed drink* and authorizes mixed beverage/caterer combination licensees to provide curbside pickup and delivery.

Officials from the Oklahoma Tax Commission provide the following information regarding the impact of the bill.

REVENUE IMPACT:

The measure will have an **unknown** impact on state revenues for FY 25 and FY 26.

ANALYSIS: Information is unavailable to assess the potential revenue impact of this legislation. It is unknown if vendors with such a permit issued by ABLE would still be required to have these permits under SB 809 (CCR2), which necessitates registration with the Oklahoma Tax Commission for remittance of the relevant taxes. A vendor, such as a small brewer, brewpub, etc., that currently holds an on-premises mixed beverage permit and is currently remitting tax to the OTC may opt to drop that permit with ABLE, and then no longer remit that tax to OTC. The extent to which this situation may apply is unknown.

Prepared By: Zachary Penrod, House Fiscal Staff

Other Considerations

None.

