



# Alcohol

## STATE QUESTION

# 792

### BALLOT TITLE

This measure repeals Article 28 of the Oklahoma Constitution and restructures the laws governing alcoholic beverages through a new Article 28A and other laws the Legislature will create if the measure passes. The new Article 28A provides that with exceptions, a person or company can have an ownership interest in only one area of the alcoholic beverage business—manufacturing, wholesaling, or retailing. Some restrictions apply to the sales of manufacturers, brewers, winemakers, and wholesalers. Subject to limitations, the Legislature may authorize direct shipments to consumers of wine. Retail locations like grocery stores may sell wine and beer. Liquor stores may sell products other than alcoholic beverages in limited amounts. The Legislature must create licenses for retail locations, liquor stores, and places serving alcoholic beverages and may create other licenses. Certain licensees must meet residency requirements. Felons cannot be licensees. The Legislature must designate days and hours when alcoholic beverages may be sold and may impose taxes on sales. Municipalities may levy an occupation tax. If authorized, a state lodge may sell individual alcoholic beverages for on-premises consumption but no other state involvement in the alcoholic beverage business is allowed. With one exception, the measure will take effect October 1, 2018.

#### Shall The Proposal Be Approved?

☐ FOR THE PROPOSAL – YES

☐ AGAINST THE PROPOSAL – NO

### SUMMARY

If the proposal is approved, it would repeal Article 28 of the Oklahoma Constitution and replace it with Article 28A, which restructures the laws governing alcohol. If approved, the measure will go into effect on October 1, 2018.

Currently, under Oklahoma law, liquor stores can sell full-strength, unrefrigerated beer but cannot sell cold beer or chilled wine. Liquor stores can sell wine and spirits but no other items. Grocery and convenience stores can sell cold low-point beer (3.2 percent alcohol by weight) but not spirits, wine, or high-point beer.

State Question 792 would change the current

alcohol laws to allow grocery, convenience, and drug stores to sell cold, high-point beer (up to 8.99 percent alcohol by volume) and wine (up to 15 percent alcohol by volume). Liquor stores would be allowed to sell cold beer and any item that also may be purchased in a grocery store or convenience store—except motor fuel—in limited amounts. Liquor or spirits will still only be available for purchase from licensed retail liquor stores.

#### FOR MORE INFORMATION

[conveniencecosts.com](http://conveniencecosts.com)  
[yeson792.com](http://yeson792.com)

PROPOSERS SAY: ☒ YES

### BOTH SIDES

OPPONENTS SAY: ☒ NO

- Oklahoma's alcoholic beverages laws are Prohibition-era laws and need to be modernized.
- Passage of SQ 792 would provide Oklahomans with the same level of access to wine and beer as consumers in forty-five other states and would allow customers to purchase wine and cold beer more conveniently throughout the state at all levels of retail.
- State tax dollars are being driven to other states where alcohol laws allow the sale of high-point beer and wine in grocery stores.

- The additional competition from grocery and convenience stores would hurt the state's independent liquor retailers. Many current retail liquor stores would go out of business, resulting in job losses and inconveniencing consumers, especially those in smaller cities.
- Allowing grocery and convenience stores to sell strong beer and wine would concentrate more power in the hands of fewer corporate owners, reduce competition, and result in higher prices.
- SQ 792 contains language that would allow out-of-state distributors to buy controlling interests in wholesalers and then designate themselves as the sole wholesale distributor of any product they represent. Retailers would not be able to choose between competing wholesalers but would have to buy each product from only one particular wholesaler.