



**OKLAHOMA**  
**ABLE Commission**

# 2026 PROPOSED ADMINISTRATIVE RULES

The following slides contain ABL's proposed amendments to its administrative rules for the 2026 rulemaking period.

These updates reflect our ongoing commitment to clarity, efficiency, and alignment with statutory requirements.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 1. ADMINISTRATIVE OPERATIONS

### SUBCHAPTER 3. ORGANIZATION, OPERATIONS, PROCEDURES AND FORMS

#### 45:1-3-4. ~~Manner of obtaining information~~ **Public records**

~~Any person desiring any information concerning the Commission, its employees, its policies or procedures or any pertinent information concerning said organization or any licensee in the liquor industry may~~ **seek to** ~~obtain official records of the ABLE Commission the same, or make submissions or requests to the Commission, either in person, by mail, or by email, by directing such requests to the Director or other employees of the Commission~~ **ABLE Commission Custodian of Records** ~~at 50 NE 23<sup>rd</sup> Street, Oklahoma City, Oklahoma 73105.~~ **Records not privileged or otherwise protected from production by law shall be made available to the public. "Public records" include records required to be maintained by law, the official record in individual proceedings, case dispositions, records submitted to the agency by any person or applicant, and any other "record" as that term is defined by the Oklahoma Open Records Act ("OORA"), 51 O.S. § 24A.1, et seq. Any document protected, as privileged or confidential, by any Oklahoma or federal law, or Oklahoma or federal administrative rule, or by order of a court of competent jurisdiction, may be exempt from production or kept confidential under the OORA.**

#### **(1) Record Requests.**

**(A) Requests for copying, inspection, or mechanical reproduction of records must be submitted to the agency in writing. A standard records request form is available on the ABLE Commission's website and may be submitted according to the instructions provided thereon. Upon receipt of an inquiry, the agency will provide the requester with a standard records request form. Requests submitted to the agency will not be deemed to have been received unless and until the request has been properly submitted in accordance with these rules. A request shall be deemed abandoned if the requestor fails to respond within thirty (30) days to any request by the agency for additional information the agency has determined is reasonably necessary to identify the records sought or to accurately process the request.**

**(B) In accordance with 51 O.S., § 24A.5(4), the agency may charge a reasonable search and copying fee when a request is for a commercial purpose or would clearly cause excessive disruption of the essential functions of the department, subject to any Open Records Act limitations. A request shall be deemed abandoned if the requestor fails to communicate with the agency for thirty (30) days when reasonably requested to do so or if the requestor fails to pay any fees lawfully assessed within thirty (30) days of notice by the ABLE Commission.**

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 1. ADMINISTRATIVE OPERATIONS

### SUBCHAPTER 5. HEARINGS BEFORE THE COMMISSION

#### **45:1-5-1. Hearings before the Commission**

- (a) A brief statement of fact outlining the reason for denial of the license or the alleged violation on the part of the licensee will be given by the agency attorney, Attorney General, Director, or Chief Enforcement Officer.
- (b) The applicant or licensee, or the attorney, should be given an opportunity to state his position.
- (c) Any pleadings or other documents which either party may wish to have filed may be presented.
- (d) The evidence supporting the issuance of the citation or the denial of an application for a license shall first be presented at the conclusion of which the applicant or licensee, or his attorney, may present evidence in support of his previously stated position.
- (e) The attorneys on both sides, in presenting testimony, shall stay within the Rules of Evidence as defined by law and the decision of our courts, but neither attorney shall interpose an objection to any part of the testimony until the conclusion of all the evidence on both sides. Then any objections to such testimony may be made by the attorneys on either side by dictating the same into the record.
- (f) Arguments may then be permitted by the Commission and, if the hearing is concluded, the Commission may announce its decision, or that a decision will be reached and the applicant or licensee notified within fifteen (15) days, unless both parties agree in writing that such decision may be delayed.
- (g) Hearing proceedings may be modified by agreement of the parties to allow for discovery and exchange of other evidentiary materials, such as proposed exhibits and witness statements. Such discovery and proposed exhibits and witness statements, when not provided for directly in these rules, shall be governed by the Administrative Procedures Act, Oklahoma Rules of Evidence and Rules of Civil Procedure as applicable.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 1. ADMINISTRATIVE OPERATIONS

### SUBCHAPTER 5. HEARINGS BEFORE THE COMMISSION

#### **45:1-5-3. Failure to appear**

Any licensee who fails to appear before the Commission, as directed, after having been first given proper Notice of Contemplated Suspension, Revocation, or Denial of his license by reason of an alleged violation of the Alcoholic Beverage Control Act or the rules of the Commission, and Proof of Service of such notice upon any such licensee having been duly made, may be determined to have waived his right to present a defense to the offense alleged in the Notice of Contemplated Suspension, Revocation, or Denial and a suspension, revocation or denial of the license of any such person may be ordered by the Commission if it appears, after having heard the evidence, that the violation alleged did in fact occur, when such licensee fails to appear before the Commission on the date of the hearing. A failure to appeal a default judgment entered against a licensee shall constitute a failure to exhaust administrative remedies.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 1. ADMINISTRATIVE OPERATIONS

### SUBCHAPTER 7: DIRECTOR OF THE COMMISSION

#### 45:1-7-1. Duties and responsibilities

(a) The Director is hereby specifically authorized and shall have all of the duties and responsibilities as set out in Section 1-108 of Title 37A of the Oklahoma Statutes, and in addition thereto, he is hereby empowered and authorized to conduct any hearing and make any investigations which he may deem necessary in connection with any violations of the provisions of the Act and the Rules adopted by the Commission, and to make a report of such hearings and investigations. He is further empowered and authorized at said hearings and in conducting such investigations, or at any other time, to administer oaths and to examine under oath any person, and cause the same to be reduced to writing, and to examine, or cause to be examined, books, accounts and records of any licensee or other person, to hear testimony and take proof material for the Commission's information and the discharge of its duties under the law, and to issue subpoenas, which shall bear the seal of this Commission, for the attendance of witnesses and the production of books, accounts, or records, which shall be effective in any part of this State, requiring their attendance before the Director at the time and place to be specified herein by him. The District or Superior Court or any Judge thereof is hereby respectfully requested, by its proper order, to require the attendance of all such witnesses so subpoenaed, and that the Court or Judge compel obedience to its or his order by proceedings for contempt as provided for in Sections 1-108 and 1-107(11) of Title 37A of the Oklahoma Statutes.

(b) In addition to the authority given the Director to issue all licenses provided for in the Act, there is further delegated to the Director the duty and authority to refuse to issue a Wine and Spirits Wholesaler, Beer Distributor, Small Brewer Self-Distributor, Brewpub Self-Distributor, Winemaker Self-Distributor, Retail Spirit, Retail Beer, Retail Wine, Beer and Wine, Mixed Beverage or Caterer license either on an original application or a renewal application, if he has reasonable grounds to believe and finds to be true any of the disqualifications outlined as set out in Section 2-146 of Title 37A of the Oklahoma Statutes or any other provision of the ABC Act that would make the applicant ineligible for licensure. There is further delegated to the Director the duty and authority to refuse to issue a Mixed Beverage, Beer and Wine, Public Event, Caterer, Retail Wine, Retail Beer, or any other such license as provided in Section 2-101 of Title 37A of the Oklahoma Statutes, either on an original application or a renewal application, if he has reasonable grounds to believe and finds to be true any of the disqualifications as set out in Section 2-147 of Title 37A of the Oklahoma Statutes.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 1. ADMINISTRATIVE OPERATIONS

### SUBCHAPTER 7: DIRECTOR OF THE COMMISSION

#### 45:1-7-3. Authority to issue notices and administer oaths

In addition to the ~~other previously granted~~ authority, ~~heretofore exercised by the Chief Law Enforcement Officer,~~ or his official delegate ~~there is hereby delegated to him and he is hereby authorized to issue Subpoenas, Notices of Contemplated Denial of Licenses, Notices of Contemplated Suspensions and Revocations, and to administer oaths for the purpose of examining witnesses when the need therefore arises.~~

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 10. PROVISIONS AND PENALTIES APPLICABLE TO ALL LICENSEES

### SUBCHAPTER 3: PROVISIONS APPLICABLE TO ALL LICENSEES

#### **45:10-3-5. Application filing period**

All applicants for original Brewer's, Distiller's, Winemaker's, Rectifier's, Wine and Spirits Wholesaler's, Beer Distributor's, Small Brewer Self-Distributor's, Brewpub Self-Distributor's, Winemaker Self-Distributor's, Retail Spirit, Retail Beer, Retail Wine, Beer and Wine, Mixed Beverage or Caterer licenses shall file with the Director or the Commission their application within sixty (60) days from the date of the first publication of Notice of Intention to Apply for an Alcoholic Beverage License, or said Notice of Intention shall be null and void. Any applicant who fails to submit all requested documents and information within sixty (60) days from the date of the original application and who fails to respond to requests for information shall be deemed to have abandoned their application and such application shall be denied and their application fee forfeited.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 10. PROVISIONS AND PENALTIES APPLICABLE TO ALL LICENSEES

### SUBCHAPTER 3: PROVISIONS APPLICABLE TO ALL LICENSEES

#### 45:10-3-8. Duplicate Licenses

~~Whenever any license issued by the Commission shall become lost or destroyed before the expiration date thereof, the licensee to whom such license was issued shall immediately reprint the license and display said license as directed by 37A-2-154. If the licensee is unable to reprint the original license, they shall make written application to the Director for a duplicate license. Said application shall set forth all the facts and circumstances concerning the loss or destruction of such license and shall be sworn to by the person applying for such duplicate. Upon receipt of such application, the Director may cause an investigation to be made, and if satisfied that the application is made in good faith and is true and correct, shall issue a duplicate in lieu of the license that was lost or destroyed. Such duplicate license shall show on its face that it is a duplicate license.~~ Any request for a copy of an active license will be subject to a \$25 certification fee per license.



# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 10. PROVISIONS AND PENALTIES APPLICABLE TO ALL LICENSEES

### SUBCHAPTER 3: PROVISIONS APPLICABLE TO ALL LICENSEES

#### **45:10-3-10. Prohibited conduct on licensed premises**

(a) No licensee shall engage in, allow, permit or suffer in or upon his licensed premises any disturbances, lewdness, immoral activities or displays, brawls, or unnecessary noises, illicit activity, or allow, permit, or suffer the licensed premises to be conducted in such a manner as to create public censure or to become a nuisance. Such nuisance declarations may come from complaints received by local law enforcement or political subdivisions in the area in which the licensed premise is located.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 10. PROVISIONS AND PENALTIES APPLICABLE TO ALL LICENSEES

### SUBCHAPTER 3: PROVISIONS APPLICABLE TO ALL LICENSEES

#### 45:10-3-27. Storage in bonded warehouse

A Retail Spirit, Retail Beer, Retail Wine, Beer and Wine, Mixed Beverage, Caterer or Special Event licensee who desires to remove some of his alcoholic beverages from his licensed premises to a Bonded Warehouse shall first obtain written permission of the Director. After the delivery of the alcoholic beverages, he shall send to the Director an itemized list showing the quantity and brands of the types of alcoholic beverages delivered to the warehouse. A Bonded Warehouse shall report in writing to the Director all receipts of alcoholic beverages from Retail Spirit, Retail Beer, Retail Wine, Beer and Wine, Mixed Beverage, Caterer or Special Event licensees, giving the name, address, and license number of the licensee delivering the same, the date of such delivery, and the description of the quantity and brands of the types of alcoholic beverages delivered. A Bonded Warehouse shall report in writing to the Director all withdrawals of alcoholic beverages from its warehouse by a Retail Spirit, Retail Beer, Retail Wine, Beer and Wine, Mixed Beverage, Caterer or Special Event licensee, giving the name, address, and license number of the Retail Spirit, Retail Beer, Retail Wine, Beer and Wine, Mixed Beverage, Caterer or Special Event licensee who is withdrawing such alcoholic beverages, the date of such withdrawal, and a description of the quantity and brands of the types of alcoholic beverages so withdrawn. Such licensees mentioned may apply for a Storage License, as approved by the Director.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 10. PROVISIONS AND PENALTIES APPLICABLE TO ALL LICENSEES

### SUBCHAPTER 3: PROVISIONS APPLICABLE TO ALL LICENSEES

#### 45:10-3-28. Refunds for erroneous or excessive collections

(a) Refunds of monies paid to the Agency for licensing or brand registration will be made ~~i~~In the following circumstances, an applicant is entitled to a full refund of their original application or renewal fee:

(1) Whenever the amount payable for an original license or renewal has been received by the Director and such application or renewal has been denied, If the applicant has withdrawn the application for a new license or renewal before a final decision is made to grant or deny the application or renewal; or

(2) Whenever a license is transferred from one location to another, calling for a smaller license fee, in which event the pro-rata difference will be refunded, When an applicant erroneously makes duplicate payments for the same license or renewal application.

(3) Whenever the applicant has withdrawn the application for a license or renewal before a final decision has been made to grant or deny the application or renewal;

(4) Whenever an applicant has erroneously made duplicate payments for the same license application, or

(5) Whenever an application for a brand registration has been denied.

(b) If a license fee has been paid and the license has been denied or the applicant withdrew the application before a final decision was made, the Agency shall refund to the applicant the amount of the tendered fee, less ten percent (10%) which the agency shall retain as a cost of processing the application. In the following circumstances, an applicant shall be entitled to a partial refund of their original application or renewal fee:

(1) If the original application or renewal fee has been paid and the license or renewal is denied. See 37A O.S. §2-142(G) (“[T]he ABLE Commission shall refund to the applicant the amount of the tendered fee, less ten percent (10%), which it shall retain as cost of processing the application.”)

(c) If the application for a brand registration fee has been paid and the brand registration has been denied, the Agency shall refund the amount of the tendered registration fee, less 25% of such fee which the Agency shall retain as a cost of processing the application.

(d) No claim for refund will be considered unless it is filed within 30 days of the date of payment by the applicant or licensee or the date of withdrawal by the applicant or denial by the Agency (whichever is later). Further, no claim for refund after denial will be considered until the time for hearing or appeal has passed and the Agency's decision has become final. Finally, refund requests must be sent via email to [finance@able.ok.gov](mailto:finance@able.ok.gov) for review by the Director. This rule shall not be construed to limit or modify Section 2-142 of Title 37A of the Oklahoma Statutes.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 10. PROVISIONS AND PENALTIES APPLICABLE TO ALL LICENSEES

### SUBCHAPTER 3: PROVISIONS APPLICABLE TO ALL LICENSEES

#### **45:10-3-34. Requirement to maintain liability insurance**

All licensees governed by the ABLE Commission pursuant to 37A O.S. §2-142 shall maintain, at all times, the state required minimum liability insurance covering both bodily injury and property damage on original application and renewal. Any licensee who fails to maintain liability insurance shall be subject to suspension until such licensee provides proof of the required liability insurance. Failure to provide proof of the required liability insurance may result in punishment up to and including revocation of the license.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 10. PROVISIONS AND PENALTIES APPLICABLE TO ALL LICENSEES

### SUBCHAPTER 5: PENALTIES

#### **45:10-5-1. General penalty**

It is hereby provided that the violation by any licensee of any provision of the Oklahoma Alcoholic Beverage Control Act or any rule now existing or which may be hereafter adopted may constitute grounds for the revocation or suspension of any license for such period of time as, in the judgment of this Commission, may be determined, unless the punishment for any violation be prescribed within the statute or rule violated. The violation by any licensee of any provision of the Oklahoma

Alcoholic Beverage Control Act or any rule for which no specific suspension period or fine is provided in the Oklahoma statutes, the Oklahoma Administrative Rules, or the penalty schedule listed in OAC 45:10-5-3, may be subject to a suspension of 5 days or a fine of up to \$250.00, or subject to both such suspension and fine, for the first offense and increasing suspension periods and fines for successive violations, as set forth in the penalty schedule included in Appendix B of this Chapter.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 10. PROVISIONS AND PENALTIES APPLICABLE TO ALL LICENSEES

### SUBCHAPTER 5: PENALTIES

#### MAJOR VIOLATIONS PENALTY SCHEDULE A

STATUTE	OAC 45:	VIOLATIONS	1st		SUCCESSIVE VIOLATIONS		3rd		4th All violations subject to revocation
			Suspension	Fine	2nd Suspension	Fine	Suspension	Fine	
37A §2-105	45:25-3-2	Price discrimination by a Self-Distributing Winery.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
37A §2-109B(3)		Sale of wine over 15% by volume.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
37A §2-109C(3)		<del>Sale of beer over 8.99% by volume.</del> <u>Sale of malt beverage over 15% alcohol by volume.</u>	10 Days	\$1,000	30 Days	\$3,000	Revocation		
37A §2-109C(3)	45:20-9-3	Unauthorized sale by a retail beer licensee.	30 Days	\$3,000	60 Days	\$6,000	Revocation		
37A §2-109C(3)	45:20-11-3	Unauthorized sale by a retail wine licensee.	30 Days	\$3,000	60 Days	\$6,000	Revocation		
37A §2-138 See also 37A §6-103A(1), 37A §6-105(1), and 37A §6-108(1).		Purchase from other than licensed Wholesaler or Beer Distributor.	30 Days	\$3,000	60 Days	\$6,000	Revocation		
37A §2-148A(1)		Procured a license through fraud, misrepresentation or concealment.	Revocation						
(2)		Made any false representation or statement to the Commission.	15 Days	\$1,500	30 Days	\$3,000	Revocation		

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 15. EMPLOYEE LICENSES, TRAINING CERTIFICATION

### SUBCHAPTER 1: EMPLOYEE LICENSE

#### 45:15-1-1. Training Required

Every Applicant for an original employee license shall provide the Commission with a certificate of training completion issued by the Commission or an approved trainer of the Commission prior to licensure, unless 37A O.S. §2-121 is amended to provide otherwise. Said certificate ~~may~~**shall** be provided to the Commission by ~~mail to~~**uploading** the **certificate to the applicant's online account**~~Commission headquarters, delivered in person, or submitted electronically to the Licensing Division of the Commission.~~ **Failure to upload the certificate is a violation of these rules and is punishable according to OAC 45:10-5-1.**

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 30. MANUFACTURERS, WINE AND SPIRIT WHOLESALERS, BREWERS, NONRESIDENT SELLERS AND BEER DISTRIBUTORS

### SUBCHAPTER 1: GENERAL PROVISIONS

#### 45:30-1-2. Definitions

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Adjusted Price"** means percentage or individual item prices reported and registered by a Wine and Spirits Wholesaler on or before the 25th day of a posting month in response to a lower percentage reported and registered by a competitor Wine and Spirits Wholesaler on the 15th day of the month.

**"~~Brewer or Nonresident Seller~~"** means a manufacturer or distributor of beer or brewed products and shall also include:

(A) A corporate subsidiary of any such brewer or nonresident seller who markets his products solely through a subsidiary or subsidiaries; and

(B) A distributor of beer or brewed products manufactured or bottled in a foreign country.

**"Categories"** means the four (4) common divisions in the systems of classification of alcoholic beverages other than beer, to wit: Spirits, Cordials and Specialties, Wines-Domestic, Wines-Imported, and the additional category of Decanter bottles, regardless of contents.

**"Beer Distributor"** means an entity licensed to sell beer or brewed products to the holder of a Retail Spirit, Retail Beer, Beer and Wine, Mixed Beverage, Caterer or Special Event license.

**"Manufacturer, ~~Broker~~, or Nonresident Seller"** means a manufacturer of alcoholic beverages other than beer and shall also include:

(A) A corporate subsidiary of any such manufacturer who markets his products solely through a subsidiary or subsidiaries; and

(B) A distributor of alcoholic beverages manufactured or bottled in a foreign country.

**"New Item"** means an item not previously stocked, or a item newly priced with the Commission by the Wine and Spirits Wholesaler on or since his last price posting.

**"New Percentage"** means a percentage reported and registered by the Wine and Spirits Wholesaler with the Commission on or before the 15th day of January, March, May, July, September and November whether such percentage be higher, lower or the same as the previous posting.

**"Percentage Markup"** means a percentage of increase or decrease in relation to the Wine and Spirits Wholesaler laid-in-cost for all items in each category. The percentage does not have to be the same for all categories, but in the original posting the percentage shall be the

same for all items in the same category.

**~~"Small Brewer"~~** means an individual or entity who manufactures beer or brewed products and is designated as a manufacturer by the Alcohol and Tobacco Tax and Trade Bureau.

**"Wine and Spirits Wholesaler"** means an individual or partnership licensed to sell alcoholic beverages to the holder of a Retail Spirit, Retail Wine, Beer and Wine, Mixed Beverage, Caterer or Special Event license.

**"Wholesaler Laid-In-Cost"** means the current posted Nonresident Seller F.O.B. price to which shall be added State and Federal Taxes on alcoholic beverages not including beer plus any miscellaneous charges added by the Nonresident Sellers.



# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 40. TRANSPORTATION, CONTAINERS AND CHANGES IN STATUS OR LOCATION

### SUBCHAPTER 5: CONTAINERS AND LABELS

#### 45:40-5-2. Container capacities

The sale of alcoholic beverages, except beer, shall be strictly limited to those capacities approved by the ~~Bureau of Alcohol, Tobacco and Firearms~~ Alcohol and Tobacco Tax and Trade Bureau.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 40. TRANSPORTATION, CONTAINERS AND CHANGES IN STATUS OR LOCATION

### SUBCHAPTER 5: CONTAINERS AND LABELS

#### 45:40-5-3. Wine in less than 7% alcoholic content by weight

All sizes of wine offered in less than seven percent (7%) alcoholic content by weight, therefore, not considered by the ~~Bureau of Alcohol, Tobacco and Firearms~~ Alcohol and Tobacco Tax and Trade Bureau, shall be allowed for sale.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 40. TRANSPORTATION, CONTAINERS AND CHANGES IN STATUS OR LOCATION

### SUBCHAPTER 7: CHANGES IN STATUS OR LOCATION

#### 45:40-7-1. Change in location

The requirements for change in location of a Wine and Spirits Wholesaler, Beer Distributor, Small Brewer Self-Distributor, Brewpub Self-Distributor, Small Brewer Self-Distributor, Brewpub Self-Distributor, Retail Spirit, Retail Beer, Retail Wine, Mixed Beverage or Caterer premises from the original premises to a new location are:

- (1) A letter of request to the Director requesting permission to move to a new location, which shall be described by street number and by lot or block number giving the name of the town and county in which it would be located.
- (2) Publication of Notice of Intent to apply for permission to change the premises or warehouse from one location to another, by two publications in which Notice of Intent of both the old and new location shall be accurately given by street address and by lot and block number. Proof of Publication must be furnished.
- (3) The letter giving permission shall state that all alcoholic beverages must be transported in licensee's vehicle or by a carrier licensed by this Commission, and that such transfer of alcoholic beverages shall be made during the daylight hours of a day or days during which such move is made.
- (4) Prior to permission being given, the original license, and any renewal thereof, shall be surrendered for modification to show the new address.
- (5) A valid lease shall be provided to this Commission showing the right of the licensee to occupy the new location for a period of one (1) year, in addition to updated proof of state-required minimum liability insurance showing coverage of the new location. Also, a Certificate of Compliance from the municipality or county certifying that the proposed location complies with all municipal or county fire codes, safety codes, health codes and zoning codes, if applicable.

# TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

## CHAPTER 50. CHARITY GAMES

### SUBCHAPTER 3: LICENSES

#### **45:50-3-1. Organization license**

- (a) Application for an organization license shall be made on a form prescribed by the Commission.
- (b) In addition to the requirements for application provided in the Act, each application shall be accompanied by:
  - (1) A letter of tax clearance from the Tax Commission; and
  - (2) A consent form permitting the Commission to obtain Internal Revenue Service verification of current 501(C) tax exempt status.
- (c) Before submitting an application for an initial license, an organization shall twice publish, in the manner required by law, a notice of intent to apply for a license containing the following information:
  - (1) Organization name;
  - (2) Organization address; and
  - (3) Location where charity game activities will be conducted.
- (d) An application for an initial license shall be submitted within sixty (60) days of the publication of the intent to apply.
- (e) Publication requirements shall not apply to a renewal application, unless an organization is changing the location at which charity games are conducted.
- (f) Any licensed organization that changes any of its officers, directors or officials during the term of the license shall, within thirty (30) days of the change, report the names and addresses of such individuals to the Commission.
- (g) An organization license shall expire one year from the date of issuance.
- (h) Any organization that holds an unexpired bingo license on July 1, 1993, may conduct a charity game in conformity with the Act until the license expires.
- (i) The Commission may impose a fine, suspend or revoke an organization's license for any violation of the Act or Rule promulgated by the Commission. An organization which has had a license revoked in this or any other jurisdiction shall not be eligible for a new license for a period of one (1) year from the date of revocation.
- (j) There shall be a fine of Five Dollars (\$5.00) per day for late renewal of an organization license. An organization shall stop conducting charity games during the period the license is expired and before it is renewed.
- (k) If a license is damaged, lost or destroyed, an organization may obtain a duplicate by submitting a written request to the Commission. ~~Licenses who~~ Any request for a copy of an active license will be subject to a \$25 certification fee per license.