

MAJOR VIOLATIONS PENALTY SCHEDULE A

STATUTE	OAC 45:	VIOLATIONS	SUCCESSIVE VIOLATIONS								
			1st Suspension	Fine	2nd Suspension	Fine	3rd Suspension	Fine	4th All violations subject to revocation		
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)		Sale of beer over 8.99% by volume.	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				

(3)	45:10-3-11	Maintained an unsanitary establishment or has supplied impure or otherwise deleterious beverages or food.	3 Days	\$ 300	10 Days	\$1,000	30 Days	\$3,000	Revocation
37A §2-148A(6)		Had any permit or license suspended or revoked by the Tax Commission.	Revocation						
37A §2-148B(2)		Mixed Beverage or Caterer licensee who is a Manufacturer, Brewer or Wholesaler of alcoholic beverages.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation
37A §2-148B(3)		Has borrowed money or property or accepted gratuities or rebate from a Manufacturer or Wholesaler of alcoholic beverages.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation
(4)		Has obtained the use of equipment from any Manufacturer or Wholesaler of alcoholic beverages or any Agent thereof.	10 Days	\$ 500	20 Days	\$1,000	30 Days	\$1,500	Revocation
37A §2-148D(1) See also 37A §6-120.		Knowingly sold or allowed alcoholic beverages to be sold, delivered or furnished to any person under twenty-one (21) or to a person visibly intoxicated, adjudged insane or mentally deficient.	10 Days	\$1,000	15 Days	\$1,500	20 Days	\$2,000	Revocation
(2)		Licensee, any partner, officer or director convicted of a felony.	Revocation						
37A §2-148D(3)		Wine & Spirits Wholesaler, Beer Distributor Retail Spirits, Retail Beer or Retail Wine licensee or any partner therein convicted of a Prohibitory Law relating to the sale, manufacture or transportation of alcoholic beverages.	Revocation						

37A §2-148H		Failure of any licensee to pay a fine or serve a suspension imposed by the Commission.	Revocation						
37A §2-156(C)		Sale by Package Store in anything other than retail container, sale of more than 20% non-alcohol, and sale or delivery off-premises.	5 Days	\$ 500	10 Days	\$1,000	20 Days	\$2,000	Revocation
37A §2-157(A)	45:25-3-3	Failure to post prices by a Self-Distributing Winery.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
37A §2-157(D)	45:25-3-5	Pooling delivery of alcohol by a Self-Distributing Winery.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
37A §3-101		Manufacture, rectify, sell, possess, store, import into or export from this state, transport or deliver any alcoholic beverage except as specifically provided in this Act.	30 Days	\$3,000	60 Days	\$6,000	Revocation		
37A §3-106(A)	45:25-5-1	Failure to obtain Direct Shippers Permit.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
37A §3-116A See also 37A §3-119(2) and 37A §3-123A(2).		Discrimination or inducement in sale to Wholesaler.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
37A §3-119(1)		Financial or business interest with or in any retail premises with regard to the sale of alcoholic beverages.	Revocation						

See also 37A §3-116A and 37A §3-123A(2).	(2)	45:10-3-25	Lend money or other thing of value or offer any gift, gratuity or other inducement to licensee.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
	(3)		Guarantee financial obligation of licensee.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
	(4)		Require licensee to purchase any quota as condition of purchase.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
	(5)		Sale to licensee on consignment, etc.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
	(6)	45:10-3-26	Extend credit to licensee.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
37A §3-123A(1)		45:30-3-1 45:30-3-6 45:30-5-6	Discriminate in price between Wholesalers, Retailers and other licensees for alcoholic beverages bearing same brands, etc.	Warning	\$1,000	10 Days	\$3,000	Revocation after Opportunity to Cure.		
37A §3-123A(2) See also 37A §3-116A and 37A §3-119(2).		45:10-3-24 45:10-3-25	Grant any discount, rebate, free goods, allowance or other inducement.	Warning	\$1,000	10 Days	\$3,000	Revocation		
37A §5-132A			Alcoholic beverage not labeled, offered or advertised for sale in accordance with rules or brand label not registered and approved.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation
37A §5-132B			Application for registration of brand label not filed.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation

37A §5-133		Refill with any substance a container which contained any alcoholic beverages on which the tax under Section 5-101 has been paid.	30 Days	\$3,000	60 Days	\$6,000	Revocation
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37A §6-101A(4)		Import, for personal use, more than one liter on which Oklahoma Excise Tax is delinquent.	Revocation				
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(5)		Receive, possess or use any alcoholic beverage in violation of Oklahoma ABC Act.	30 Days	\$3,000	60 Days	\$6,000	Revocation
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(6)		Transport more than one liter without valid documentation showing name and address of consignor and consignee.	Revocation				
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(7)		Transport an open container, accessible to the driver, while vehicle is in motion.	Revocation				
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(8)		Consume spirits off the licensed premises or be intoxicated in a public place.	10 Days	\$1,000	30 Days	\$3,000	Revocation
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37A §6-101(9)		Forcibly resist lawful arrest or interfere with an investigation.	Revocation				
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37A §6-102A(1)	45:10-5-1	Receive, possess or sell alcoholic beverage except as authorized by ABC Act and the license or permit held.	10 Days	\$1,000	30 Days	\$3,000	Revocation
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(2)		Employ any person under twenty-one (21) selling spirits or under eighteen (18) selling beer or wine.	10 Days	\$1,000	30 Days	\$3,000	Revocation
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(6)	Serve or sell alcoholic beverages with an expired license.	30 Days	\$3,000	60 Days	\$6,000	Revocation		
37A §6-103A(1) See also 37A §2-138, 37A §6-105(1), and 37A §6-108(1).	Purchase or receive alcoholic beverage other than from a Wholesaler, Beer Distributor, Winery or Small Brewer licensee.	30 Days	\$3,000	60 Days	\$6,000	Revocation		
(3)	Open store or sale by Retail Spirits licensee other than hours and days set forth.	30 Days	\$3,000	60 Days	\$6,000	Revocation or Revocation with criminal conviction		
37A §6-103(5)	Sell alcoholic beverage on credit by a Retail Spirits licensee.	10 Days	\$ 500	20 Days	\$1,000	30 Days	\$1,500	Revocation
(6)	Offer gift to consumer as inducement for sale by a Retail Sprits licensee.	10 Days	\$ 500	20 Days	\$1,000	30 Days	\$1,500	Revocation
37A §6-104(1)	Sell or deliver Retail Spirits or Wine, or receipt of same by Retail licensee, on Sunday.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$3,000	Revocation
37A §6-104(2)	Sell or deliver Retail Spirits or Wine, or receipt of same by Retail licensee, on designated holidays.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$3,000	Revocation
37A §6-105(1) See also 37A §2-138, 37A §6-103A(1), and 37A §6-108(1).	Purchase or receive alcoholic beverage from other than Wine & Spirits Wholesaler or Beer Distributor.	10 Days	\$1,000	30 Days	\$3,000	Revocation		

(3)		Unclear labeling of bottle which might conceal quantity or content of beverage which is kept for sale.	10 Days	\$1,000	30 Days	\$3,000	Revocation
37A §6-105(4)		Keep or knowingly permit alcoholic beverages to be kept, brought or consumed which are not allowed to be sold or served on licensed premises.	10 Days	\$1,000	30 Days	\$3,000	Revocation
(5) See also 37A §6-114.		Allow person under age twenty-one (21) within designated bar area.	10 Days	\$1,000	20 Days	\$2,000	30 Days \$3,000 Revocation
37A §6-108(1) See also 37A §2-138, 37A §6-103A(1), and 37A §6-105(1).		Purchase or receive alcoholic beverage other than from Wine & Spirits Wholesaler, Beer Distributor, Winery or Small Brewer.	30 Days	\$3,000	60 Days	\$6,000	Revocation
37A §6-109(4)	45:10-3-10	Permit any illegal gambling, violation of drug laws, prostitution or other criminal conduct.	30 Days	\$3,000	60 Days	\$6,000	Revocation
(5)		Refuse or fail to promptly open a door to the licensed premises upon request of ABLE employee or any other peace officer.	15 Days	\$1,500	30 Days	\$3,000	Revocation
(7)		Destroy, damage, alter, remove, conceal or refuse to surrender potential evidence.	15 Days	\$1,500	30 Days	\$3,000	Revocation
37A §6-110(1)		Permit performance of sexual acts or simulated sexual acts.	10 Days	\$1,000	20 Days	\$2,000	Revocation

(2)		Permit fondling of specified body parts.	10 Days	\$1,000	20 Days	\$2,000	Revocation		
(3)		Permit exposure of specified body parts.	10 Days	\$1,000	20 Days	\$2,000	Revocation		
(4)		Permit use of artificial devices or inanimate objects to depict prohibited sexual acts, including films, pictures or visual reproductions of prohibited acts.	10 Days	\$1,000	20 Days	\$2,000	Revocation		
37A §6-114 See also 37A §6-105(5).		Allow persons under age twenty-one (21) in bar area which has, as its main purpose, the sale of alcoholic beverages.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation
37A §6-117	45:30-5-16	Acting without a license for which one is required under the Oklahoma ABC Act.	30 Days	\$2,500	30 Days	\$2,500			
3A §406	45:50-11-2	Conviction of Charity Games Distributor or Manufacturer licensee, partner, officer or stockholder for felony, or licensee not a U.S. citizen.						Revocation	
3A §407	45:50-11-2	Violation of tax laws, failure to pay fine, or violation of Charity Games Act, Rules, etc., by Charity Games licensee.						Revocation	
3A §426	45:50-11-2	Violation of Charity Games contraband prohibitions.						Revocation	
	45:10-3-15	Unauthorized replacement of wine or spirit.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation

45:20-5-1(c)	Failure to have signs prohibiting persons under age twenty-one (21) from entry into Mixed Beverage Club.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation
45:20-9-2	Delivery of beer to other than retail location.	30 Days	\$3,000	60 Days	\$6,000	Revocation		
45:20-11-2	Delivery of wine to other than retail location.	30 Days	\$3,000	60 Days	\$6,000	Revocation		
45:50-11-2	Violation of any provision of the Charity Games Act for which mandatory revocation is not required.	30 Days	\$3,000	60 Days	\$6,000	90 Days	\$9,000	Revocation