

**RULE IMPACT STATEMENT**

[as required by 75 O.S., § 303(D)]

**TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

**A. BRIEF DESCRIPTION OF PURPOSE OF PROPOSED RULE:**

The Alcoholic Beverage Laws Enforcement Commission proposes amendments to various rules within Chapter 1 in order to update the Agency address; delete references to Bottle Clubs, which no longer exist in Oklahoma; and specifically reference the Director's authority to assign a Hearing Officer/Examiner to hear a matter.

**B. CLASS OF PERSONS AFFECTED (CLASS BEARING COST OF RULE):**

The agency does not anticipate cost impacts associated with these proposed permanent rule changes.

**C. CLASSES OF PERSONS WHO WILL BENEFIT FROM PROPOSED RULE:**

These proposed permanent rule changes update and modernize existing administrative rules; as such, these changes will benefit licensees, their employees, their customers, and ABLE agents and employees.

**D. DESCRIPTION OF ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS:**

The agency does not anticipate economic impacts associated with these proposed permanent rule amendments.

**E. COSTS AND BENEFITS TO AGENCY, EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES:**

The agency does not anticipate any costs to the agency associated with these proposed permanent rule amendments or any effect on State revenues. The agency will benefit from updated rules.

**F. ECONOMIC IMPACT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON POLITICAL SUBDIVISIONS AND WHETHER THE IMPLEMENTATION WILL REQUIRE THE SUBDIVISION'S COOPERATION IN IMPLEMENTING OR ENFORCING THE RULE:**

The agency does not anticipate any adverse economic impact on political subdivisions or anticipate any change in cooperation or enforcement as a result of these proposed permanent rule amendments.

**G. ADVERSE ECONOMIC EFFECT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The agency does not anticipate any adverse economic impact on small businesses as a result of these proposed permanent rule amendments.

**H. LESS COSTLY OR INTRUSIVE METHODS:**

As the proposed amendments have no associated cost and are less intrusive, there is no less costly or intrusive method.

**I. EFFECT OF THE RULE ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

The agency does not anticipate any negative effect on public health, safety and environment as a result of the proposed permanent rule amendments at this time.

**J. DETRIMENTAL EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE RULE IS NOT IMPLEMENTED:**

The agency does not anticipate a detrimental effect on public health, safety and environment resulting from a failure to implement these proposed permanent rule amendments at this time.

**K. DATE PREPARED:**

December 26, 2024

**L. DATE MODIFIED (IF ANY):**

**RULE IMPACT STATEMENT**

[as required by 75 O.S., § 303(D)]

**TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION  
CHAPTER 10. PROVISIONS AND PENALTIES APPLICABLE TO ALL LICENSEES**

**A. BRIEF DESCRIPTION OF PURPOSE OF PROPOSED RULE:**

The Alcoholic Beverage Laws Enforcement Commission proposes amendments to various rules within Chapter 10 in order to address dangerous conduct; delete references to Bottle Clubs, which no longer exist in Oklahoma; clarify refund policies; reference main purpose requirements for food service entities, in line with relevant statutes; and require timely updates to contact information. Changes to the penalty schedules are proposed in order to eliminate references to administrative rules that no longer exist, correct inaccurate references to statutes, add cross-references between similar statutes and rules, clarify language, reference rules in proper order, provide a small general penalty for violations that are not otherwise addressed by the penalty schedule, and provide options for fines in lieu of revocation of licenses for certain violations. The updated penalty schedule is intended to be clearer, more accurate and more concise in order to provide better guidance and direction to licensees and law enforcement agents.

**B. CLASS OF PERSONS AFFECTED (CLASS BEARING COST OF RULE):**

The agency does not anticipate cost impacts associated with these proposed permanent rule changes.

**C. CLASSES OF PERSONS WHO WILL BENEFIT FROM PROPOSED RULE:**

These proposed permanent rule changes update and modernize existing administrative rules; as such, these changes will benefit licensees, their employees, their customers, and ABLE agents and employees.

**D. DESCRIPTION OF ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS:**

The agency does not anticipate economic impacts associated with these proposed permanent rule amendments.

**E. COSTS AND BENEFITS TO AGENCY, EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES:**

The agency does not anticipate any costs to the agency associated with these proposed permanent rule amendments or any effect on State revenues. The agency will benefit from updated rules and a penalty schedule that is clearer, more accurate and more concise.

**F. ECONOMIC IMPACT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON POLITICAL SUBDIVISIONS AND WHETHER THE IMPLEMENTATION WILL REQUIRE THE SUBDIVISION'S COOPERATION IN IMPLEMENTING OR ENFORCING THE RULE:**

The agency does not anticipate any adverse economic impact on political subdivisions or anticipate any change in cooperation or enforcement as a result of these proposed permanent rule amendments.

**G. ADVERSE ECONOMIC EFFECT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The agency does not anticipate any adverse economic impact on small businesses as a result of these proposed permanent rule amendments.

**H. LESS COSTLY OR INTRUSIVE METHODS:**

*N/A*

**I. EFFECT OF THE RULE ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

The agency does not anticipate any negative effect on public health, safety and environment as a result of the proposed permanent rule amendments at this time.

**J. DETRIMENTAL EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE RULE IS NOT IMPLEMENTED:**

The agency does not anticipate a detrimental effect on public health, safety and environment resulting from a failure to implement these proposed permanent rule amendments at this time.

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**TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION  
CHAPTER 25. WINEMAKERS, SELF-DISTRIBUTION, DIRECT SHIPMENT**

**A. BRIEF DESCRIPTION OF PURPOSE OF PROPOSED RULE:**

The Alcoholic Beverage Laws Enforcement Commission proposes amendments to various rules within Chapter 25 in order to address issues related to the direct shipment of wine. The ABLE Commission desires to amend the rules to clarify wording and to address a new statutory requirement of quarterly reports.

**B. CLASS OF PERSONS AFFECTED (CLASS BEARING COST OF RULE):**

The agency does not anticipate cost impacts associated with these proposed permanent rule changes.

**C. CLASSES OF PERSONS WHO WILL BENEFIT FROM PROPOSED RULE:**

These proposed permanent rule changes update and modernize existing administrative rules; as such, these changes will benefit licensees, their employees, their customers, and ABLE agents and employees.

**D. DESCRIPTION OF ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS:**

The agency does not anticipate economic impacts associated with these proposed permanent rule amendments.

**E. COSTS AND BENEFITS TO AGENCY, EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES:**

The agency does not anticipate any costs to the agency associated with these proposed permanent rule amendments or any effect on State revenues. The agency will benefit from updated rules.

**F. ECONOMIC IMPACT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON POLITICAL SUBDIVISIONS AND WHETHER THE IMPLEMENTATION WILL REQUIRE THE SUBDIVISION'S COOPERATION IN IMPLEMENTING OR ENFORCING THE RULE:**

The agency does not anticipate any adverse economic impact on political subdivisions or anticipate any change in cooperation or enforcement as a result of these proposed permanent rule amendments.

**G. ADVERSE ECONOMIC EFFECT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The agency does not anticipate any adverse economic impact on small businesses as a result of these proposed permanent rule amendments.

**H. LESS COSTLY OR INTRUSIVE METHODS:**

*N/A*

**I. EFFECT OF THE RULE ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

The agency does not anticipate any negative effect on public health, safety and environment as a result of the proposed permanent rule amendments at this time.

**J. DETRIMENTAL EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE RULE IS NOT IMPLEMENTED:**

The agency does not anticipate a detrimental effect on public health, safety and environment resulting from a failure to implement these proposed permanent rule amendments at this time.

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**TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION  
CHAPTER 30. MANUFACTURERS, WINE AND SPIRITS WHOLESALERS,  
BREWERS, NONRESIDENT SELLERS AND BEER DISTRIBUTORS**

**A. BRIEF DESCRIPTION OF PURPOSE OF PROPOSED RULE:**

The Alcoholic Beverage Laws Enforcement Commission proposes amending this administrative rule within Chapter 30 that addresses the registration of manufacturers' brand name labels. The ABLE Commission desires to amend the rule to delete repetitive language and to update an outdated statutory reference.

**B. CLASS OF PERSONS AFFECTED (CLASS BEARING COST OF RULE):**

The agency does not anticipate cost impacts associated with these proposed permanent rule changes.

**C. CLASSES OF PERSONS WHO WILL BENEFIT FROM PROPOSED RULE:**

These proposed permanent rule changes update and modernize an existing administrative rule; as such, these changes will benefit licensees, their employees, their customers, and ABLE agents and employees.

**D. DESCRIPTION OF ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS:**

The agency does not anticipate economic impacts associated with these proposed permanent rule amendments.

**E. COSTS AND BENEFITS TO AGENCY, EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES:**

The agency does not anticipate any costs to the agency associated with these proposed permanent rule amendments or any effect on State revenues. The agency will benefit from updated rules.

**F. ECONOMIC IMPACT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON POLITICAL SUBDIVISIONS AND WHETHER THE IMPLEMENTATION WILL REQUIRE THE SUBDIVISION'S COOPERATION IN IMPLEMENTING OR ENFORCING THE RULE:**

The agency does not anticipate any adverse economic impact on political subdivisions or anticipate any change in cooperation or enforcement as a result of these proposed permanent rule amendments.

**G. ADVERSE ECONOMIC EFFECT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The agency does not anticipate any adverse economic impact on small businesses as a result of these proposed permanent rule amendments.

**H. LESS COSTLY OR INTRUSIVE METHODS:**

*N/A*

**I. EFFECT OF THE RULE ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

The agency does not anticipate any negative effect on public health, safety and environment as a result of the proposed permanent rule amendments at this time.

**J. DETRIMENTAL EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE RULE IS NOT IMPLEMENTED:**

The agency does not anticipate a detrimental effect on public health, safety and environment resulting from a failure to implement these proposed permanent rule amendments at this time.

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**TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION  
CHAPTER 35. EVENTS, AIRLINE/RAILROAD, HOTEL/MOTEL**

**A. BRIEF DESCRIPTION OF PURPOSE OF PROPOSED RULE:**

The Alcoholic Beverage Laws Enforcement Commission proposes amendments to various rules within Chapter 35 that address special events, public events and charitable events. The ABLE Commission desires to amend the rules to ensure that applications for event licenses are received with sufficient time to process the applications, verify information and inspect the premises before a license is issued. Currently, some applications are received last minute, such as the day before a weekend event, which does not allow sufficient time to process the application.

These rules also address the size of containers of alcoholic beverages that are sold in hotels and motels. The ABLE Commission proposes amending the rules to clarify the wording.

**B. CLASS OF PERSONS AFFECTED (CLASS BEARING COST OF RULE):**

The agency does not anticipate cost impacts associated with these proposed permanent rule changes.

**C. CLASSES OF PERSONS WHO WILL BENEFIT FROM PROPOSED RULE:**

These proposed permanent rule changes update and modernize existing administrative rules; as such, these changes will benefit licensees, their employees, their customers, and ABLE agents and employees.

**D. DESCRIPTION OF ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS:**

The agency does not anticipate economic impacts associated with these proposed permanent rule amendments.

**E. COSTS AND BENEFITS TO AGENCY, EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES:**

The agency does not anticipate any costs to the agency associated with these proposed permanent rule amendments or any effect on State revenues. The agency will benefit from more timely applications for event licenses.

**F. ECONOMIC IMPACT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON POLITICAL SUBDIVISIONS AND WHETHER THE IMPLEMENTATION WILL REQUIRE THE SUBDIVISION'S COOPERATION IN IMPLEMENTING OR ENFORCING THE RULE:**

The agency does not anticipate any adverse economic impact on political subdivisions or anticipate any change in cooperation or enforcement as a result of these proposed permanent rule amendments.

**G. ADVERSE ECONOMIC EFFECT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The agency does not anticipate any adverse economic impact on small businesses as a result of these proposed permanent rule amendments.

**H. LESS COSTLY OR INTRUSIVE METHODS:**

*N/A*

**I. EFFECT OF THE RULE ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

The agency does not anticipate any negative effect on public health, safety and environment as a result of the proposed permanent rule amendments at this time.

**J. DETRIMENTAL EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE RULE IS NOT IMPLEMENTED:**

The agency does not anticipate a detrimental effect on public health, safety and environment resulting from a failure to implement these proposed permanent rule amendments at this time.

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**TITLE 45. ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION  
CHAPTER 40. TRANSPORTATION, CONTAINERS AND CHANGES IN  
STATUS OR LOCATION**

**A. BRIEF DESCRIPTION OF PURPOSE OF PROPOSED RULE:**

The Alcoholic Beverage Laws Enforcement Commission proposes amendments to various rules within Chapter 40 in order to delete references to Bottle Clubs, which no longer exist in Oklahoma, and to reference a statute that allows bottles of alcoholic beverages that have been opened to be transferred in certain circumstances.

**B. CLASS OF PERSONS AFFECTED (CLASS BEARING COST OF RULE):**

The agency does not anticipate cost impacts associated with these proposed permanent rule changes.

**C. CLASSES OF PERSONS WHO WILL BENEFIT FROM PROPOSED RULE:**

These proposed permanent rule changes update and modernize existing administrative rules; as such, these changes will benefit licensees, their employees, their customers, and ABLE agents and employees.

**D. DESCRIPTION OF ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS:**

The agency does not anticipate economic impacts associated with these proposed permanent rule amendments.

**E. COSTS AND BENEFITS TO AGENCY, EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES:**

The agency does not anticipate any costs to the agency associated with these proposed permanent rule amendments or any effect on State revenues. The agency will benefit from updated rules.

**F. ECONOMIC IMPACT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON POLITICAL SUBDIVISIONS AND WHETHER THE IMPLEMENTATION WILL REQUIRE THE SUBDIVISION'S COOPERATION IN IMPLEMENTING OR ENFORCING THE RULE:**

The agency does not anticipate any adverse economic impact on political subdivisions or anticipate any change in cooperation or enforcement as a result of these proposed permanent rule amendments.

**G. ADVERSE ECONOMIC EFFECT THAT IMPLEMENTATION OF THE RULE WILL HAVE ON SMALL BUSINESSES AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:**

The agency does not anticipate any adverse economic impact on small businesses as a result of these proposed permanent rule amendments.

**H. LESS COSTLY OR INTRUSIVE METHODS:**

*N/A*

**I. EFFECT OF THE RULE ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:**

The agency does not anticipate any negative effect on public health, safety and environment as a result of the proposed permanent rule amendments at this time.

**J. DETRIMENTAL EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE RULE IS NOT IMPLEMENTED:**

The agency does not anticipate a detrimental effect on public health, safety and environment resulting from a failure to implement these proposed permanent rule amendments at this time.

**K. DATE PREPARED:**

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