

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
37-505		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	Revocation				
37-518.1		Purchase by Mixed Beverage, Caterer, Special Events licensees and their employees from other than licensed Wholesaler.	30 Days	\$3,000	Revocation				
37-528A(2)		Procured a license through fraud, misrepresentation or concealment	Revocation						
(3)		Made any false representation or statement to the Commission.	15 Days	\$1,500	30 Days	\$3,000	Revocation		
(4)	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
(5)		Store or possess on a Bottle Club premises any alcoholic beverage upon which the tax levied under §553 has not been paid (more than 10 bottles).	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation
(7)		Had any permit or license suspended or revoked by the Tax Commission.	Revocation						

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			1st Suspension	Fine	2nd Suspension	Fine	3rd Suspension	Fine	
37-528B(2)		Is a Manufacturer or Wholesaler of alcoholic beverages.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation
(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
37-528C(1)		Knowingly sold or allowed alcoholic beverage to be sold, delivered or furnished to any person under twenty-one (21) or to a person visibly intoxicated, adjudged insane or mentally deficient.	Revocation						
SEE ALSO: 528D 537A(1) and (2)									
(2)	10-3-2	Licensee, any partner, officer or director convicted of a felony.	Revocation						
(3)		Wholesaler, Class "B" Wholesaler, Retail Package Store licensee or any partner therein, convicted of a Prohibitory Law relating to the sale, manufacture or transportation of alcoholic beverages.	Revocation						
37-528D	See 37-528C(1) above								

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37-528G		Failure of any licensee to pay a fine or serve a suspension imposed by the Commission.	Revocation							
37-533		Sale to Wholesaler without discrimination or inducement.	10 Days	\$1,000	30 Days	\$3,000	Revocation			
37-534B		Sale by Package Store in anything other than retail container, sale not at room temperature, and sale or delivery off-premises.	5 Days	\$ 500	10 Days	\$1,000	20 Days	\$2,000	Revocation	
37-535(1)		Financial or business interest with or in any retail premises with regard to the sale of alcoholic beverages or light beer.	Revocation							
(2)	10-3-25	Any financial interest, gift or gratuity to Package Store, Mixed Beverage or Bottle Club licensee or Caterer.	10 Days	\$1,000	30 Days	\$3,000	Revocation			
(3)		Guarantee financial obligation of Retailer, Mixed Beverage, Bottle Club licensee or Caterer.	10 Days	\$1,000	30 Days	\$3,000	Revocation			
(4)		Require Wholesaler, Class "B" Wholesaler, Retailer, Mixed Beverage licensee or Caterer to reduce quota as condition of purchase.	10 Days	\$1,000	30 Days	\$3,000	Revocation			

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37-535(5)		Sale to Retailer, Mixed Beverage licensee or Caterer on consignment, etc.	10 Days	\$1,000	30 Days	\$3,000	Revocation	
37-535(6)	10-3-26	Extend credit to any Retailer, Mixed Beverage or Caterer licensee.	10 Days	\$1,000	30 Days	\$3,000	Revocation	
37-536(1)	3-3-1, 3-3-6, 3-5-1, 3-5-6	Discriminate in price between Wholesalers or Retailers for alcoholic beverages bearing same brands, etc.	10 Days	\$1,000	30 Days	\$3,000	Revocation	
(2)	10-3-24, 10-3-25	Grant any discount, rebate, free goods, allowance or other inducement.	10 Days	\$1,000	30 Days	\$3,000	Revocation	
37-536.1		Distiller selling to Wholesaler at higher rate than posted with other states.	10 Days	\$1,000	30 Days	\$3,000	Revocation	
37-537A(1) and (2)	See 37-528C(1)							
37-537A(4)		Import, for personal use, more than one liter on which Oklahoma Excise Tax is delinquent.			Revocation			
(5)		Receive, possess or use any alcoholic beverage in violation of Oklahoma ABC Act.	30 Days	\$3,000	Revocation			

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37-537A(6)		Transport more than one liter without valid documentation showing name and address of consignor and consignee.	Revocation						
(7)		Transporting an open container, accessible to the driver, while vehicle is in motion.	Revocation						
(8)		Drinking intoxicating liquor off the licensed premises or intoxicated in a public place.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
(9)		Forcibly resist lawful arrest or interfere with an investigation.	Revocation						
(10)		Manufacture, duplicate or counterfeit Bottle Club membership cards without permission.	Revocation						
(12)		Knowingly possess a fraudulent Bottle Club membership card without permission.	Revocation						
37-537B(1)		Receive, possess or sell alcoholic beverage except by the license or permit held.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
(2)		Employees of any licensee under twenty-one (21) handling alcoholic beverages.	10 Days	\$1,000	30 Days	\$3,000	Revocation		

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37-537B(6)		Serve or sell alcoholic beverages with an expired license.	30 Days	\$3,000	Revocation				
37-537C(1)		Purchase or receive alcoholic beverage other than a Brewer, Wholesaler or Class "B" Wholesaler licensee.	30 Days	\$3,000	Revocation				
(3)		Open store or sale by Package Store other than hours and days set forth.	30 Days	\$3,000	Revocation or Revocation with criminal conviction				
37-537C(5)		Sell alcoholic beverage on credit.	10 Days	\$ 500	20 Days	\$1,000	30 Days	\$1,500	Revocation
(6)		Offer gift to consumer as inducement for sale.	10 Days	\$ 500	20 Days	\$1,000	30 Days	\$1,500	Revocation
37-537D(1)		Sell or deliver to Package Store licensee on Saturday or Sunday.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$3,000	Revocation
(2)		Sell or deliver to Package Store licensee on designated "closed" days.	5 Days	\$ 500	10 Days	\$1,000	30 Days	\$3,000	Revocation
37-537E(1)		Purchase or receive alcoholic beverage from other than Wholesaler, Class "B" Wholesaler licensee.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
(3)		Labeling of bottle to conceal quantity or content of such beverage which is kept for sale by Mixed Beverage licensee.	10 Days	\$1,000	30 Days	\$3,000	Revocation		

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37-537E(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) ALSO SEE 598:		Allow person under age twenty-one (21) within the designated bar area of a Mixed Beverage Club.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation
	20-5-1	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
37-537F(1)		Labeling of bottle to conceal quantity or content of such beverage by Bottle Club.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
(2)		Act as agent and purchase alcoholic beverage for Bottle Club member.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
(3)		Use or allow pool system for storage or purchase of alcoholic beverages.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
(5)		Sell any alcoholic beverage.	10 Days	\$1,000	30 Days	\$3,000	Revocation		
(6)		Deliver or furnish out of another members bottle.	5 Days	\$ 500	30 Days	\$3,000	Revocation		

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37-537F(8)		Issue a membership card to a person under twenty-one (21).	30 Days	\$3,000	Revocation				
(9) SEE ALSO: 598		Allow person under age of twenty-one (21) within the designated bar area of a Bottle Club.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation
	20-7-1	Failure to have signs prohibiting persons under age twenty-one (21) from entry into Bottle Club.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation
37-537G(1)		Purchase or receive alcoholic beverage other than Wholesaler or Class "B" Wholesaler.	Revocation						
37-537.1(4)	10-3-10	Permit any illegal gambling, violation of drug laws or prostitution, etc.	30 Days	\$3,000	Revocation				
37-537.1(5)		Refuse or fail to promptly open a door to the licensed premises upon request of ABLE agent, inspector or 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		
37-537.2(1)		Performing sexual acts or simulated sexual acts.	3 Days	\$ 300	6 Days	\$ 600	Revocation		

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37-537.2(2)		Fondling specified parts of the human anatomy	3 Days	\$ 300	6 Days	\$ 600	Revocation	
37-537.2(3)		Exposing to view specified portions of the human anatomy.	3 Days	\$ 300	6 Days	\$ 600	Revocation	
37-537.2(4)		Using artificial devices or inanimate objects to depict prohibited acts, including visual reproductions.	3 Days	\$ 300	6 Days	\$ 600	Revocation	
37-538C	30-5-16	Acting without a license for which one is required under the Oklahoma ABC Act.	30 Days	\$3,000	Revocation			
37-582A		Possess alcoholic beverages on the licensed premises of a Mixed Beverage, Caterer or Special Events licensee not bearing the tax identification stamp (more than 10 bottles).	10 Days	\$1,000	30 Days	\$3,000	Revocation	
37-583	20-5-7	Fail to immediately invalidate, after emptying a bottle of alcoholic beverage or case of beer on which the tax under § 553 has been paid, the identification stamp.	10 Days	\$1,000	30 Days	\$3,000	Revocation	
37-584		Refill with any substance a container which contained any alcoholic beverages on which the tax under § 553 has been paid.	30 Days	\$3,000	Revocation			

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37-593D		Sale of alcoholic beverage to member of bottle club.	10 Days	\$1,000	20 Days	\$2,000	30 Days	\$3,000	Revocation	
37-598 SEE ALSO: 537E(5) & 537F(9)		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	