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**PREVENTION OF YOUTH ACCESS TO
ALCOHOLIC BEVERAGES AND
LOW-POINT BEER ACT
TITLE 37**

O.S. §601 Thru §606.

601. Citation

Section 59 through 64 of this act shall be known and may be cited as the “Prevention of Youth Access to Alcoholic Beverages and Low-Point Beer Act”.

602. Definitions

As used in Sections 59 through 64 of this act:

1. “Alcoholic beverage” means any beverage so defined pursuant to Section 506 of Title 37 of the Oklahoma Statutes;
2. “Low-point beer” means any beverage so defined pursuant to Section 163.2 of Title 37 of the Oklahoma Statutes;
3. “Person” means any individual, firm, fiduciary, partnership, corporation, trust, or association, however formed; and
4. “Proof of age” means a driver license or a card issued for identification only pursuant to Section 6-105 of Title 47 of the Oklahoma Statutes, or other generally accepted means of identification that describes the individuals as twenty-one (21) years of age or older and contains a photograph or other likeness of the individual and appears on its face to be valid.

603. Retail sale of alcoholic beverages or low-point beer—Posting of signs—Penalty

A. Every person who sells alcoholic beverages at retail shall post conspicuously and keep so posted at the place of business a sign stating the following: “IT’S THE LAW. WE DO NO SELL ALCOHOLIC BEVERAGES TO PERSONS UNDER 21 YEARS OF AGE”. Every person who sells low-point beer at retail shall post conspicuously and keep so posted at the place of business a sign stating the following: “IT’S THE LAW. WE DO NO SELL LOW-POINT BEER TO PERSONS UNDER 21 YEARS OF AGE”.

B. A violation of subsection A of this section constitutes a misdemeanor and upon conviction thereof a violator shall be assessed a fine not to exceed fifty dollars (\$50.00) for each day such offense occurred. The notices required by subsection A of this section shall be the only notices required to be posted or maintained in any store that sells alcoholic beverages or low-point beer at retail.

604. Sale of alcoholic beverages or low-point beer—Notice to employees

A. Every person engaged in the business of selling alcoholic beverages or low-point beer at retail shall notify each individual employed by that person as a retail sales clerk or server that state law:

1. Prohibits the sale or distribution of alcoholic beverages and low-point beer to any person under twenty-one (21) years of age and the purchase or receipt of alcoholic beverages and low-point beer by any person under twenty-one (21) years of age; and
2. Requires that proof of age be demanded from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser or recipient may be under twenty-one (21) years of age.

B. This notice shall be provided before the individual commences work as a retail sales clerk or server, or, in the case of an individual employed as a retail sales clerk or server on the date when this section becomes effective, within thirty (30) days of that date. The individual shall signify that he or she has received the notice required by this section of

signing a form stating as follows:

“I understand that state law prohibits the sale or distribution of alcoholic beverages and low-point beer to persons under twenty-one (21) years of age, and requires proof of age of purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser or recipient may be under twenty-one (21) years of age. I have been advised on the law and I understand the penalty for violating it.”

605. Enforcement of act—Enlistment of persons under 21 years of age

A. All law enforcement agencies are authorized and empowered to enforce the provisions of this act. The provisions shall be enforced in a manner that can reasonably be expected to reduce the extent to which alcoholic beverages and low-point beer are sold or distributed to persons under twenty-one (21) years of age.

B. Persons under twenty-one (21) years of age may be enlisted by law enforcement agencies to assist in enforcement. Provided, however, that such persons may be used to test compliance only if the testing is conducted under the direct supervision of the law enforcement agency; provided, written parental consent shall be obtained prior to the use of any person under the age of eighteen (18) years. Any other use of persons under twenty-one (21) years of age to test compliance shall be unlawful and punishable by assessment of an administrative fine of One Hundred Dollars (\$100.00).

606. Other penalties authorized by law not excluded

Nothing in the Prevention of Youth Access to Alcoholic beverages and Low-Point Beer Act shall be construed to prevent the imposition of any penalty as otherwise specified in the Oklahoma Statutes.