



ServSafe® Alcohol Online Course

State of Oklahoma Supplement

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Oklahoma Law on Underage Sales and Penalties for Sale

In Oklahoma, it is illegal to sell or give alcohol to someone who is under 21 years of age. Doing this is a misdemeanor, and a conviction can result in a fine of up to \$500, imprisonment up to one year in the county jail, or both. That is for the first offense.

Anyone convicted a second time for the same crime would be guilty of a felony. Fines for second convictions range from at least \$2,500 up to \$5,000. Prison sentences can be as long as five years in the state penitentiary. Penalties can include the fine, imprisonment, or both. The penalties are the same for any additional convictions.

The ABLE commission will also revoke the license of anyone convicted of selling or giving alcohol to anyone under 21 years of age.

Oklahoma Law and Penalties on Sales to Intoxicated, Insane and Intellectually Disabled Persons

In Oklahoma, it is illegal to knowingly sell or give alcohol to anyone who is intoxicated. It is also illegal to knowingly sell or give alcohol to anyone who is insane or has an intellectual disability. Doing this is a misdemeanor, and a conviction can result in a fine of up to \$500, imprisonment up to one year in county jail, or both. That is for the first offense.

Anyone convicted a second time for the same crime would be guilty of a felony. Fines for second convictions range from at least \$2,500 up to \$5,000. Prison sentences can be as long as five years in the state penitentiary. Penalties can include the fine, imprisonment, or both. The penalties are the same for any additional convictions.

The ABLE commission will also revoke the license of anyone convicted of knowingly selling or giving alcohol to these individuals.

Legal Hours of Operation/Sales Consumption After Hours

In Oklahoma, it is illegal to provide or consume alcohol on-premises between the hours of 2:00 a.m. and 8:00 a.m. This is true for on-premise operations including mixed beverage operations and beer and wine operations. This is also true for caterers and events including public events, charitable events, and special events. In addition, alcohol sales are prohibited at brewpubs between the hours of 2:00 a.m. and 10:00 a.m., at liquor stores between the hours of 12:00 a.m. and 8:00 a.m., and at grocery/convenience stores between the hours of 2:00 a.m. and 6:00 a.m. Sales or consumption of alcohol after authorized hours can result in administrative and/or criminal penalties.

Oklahoma counties may also restrict the sale of alcohol on Sundays as well as holidays including:

- Decoration or Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Christmas Day

Oklahoma counties that allow the sale of alcohol are not allowed to prohibit alcohol sales on election days unless the election happens to fall on another restricted day; for example on a Sunday.

Please see this link for all current county restrictions:

<https://www.ok.gov/able/documents/COUNTY%20RESTRICTIONS%20FOR%20MIXED%20BEVERAGE%20LICENSE.pdf>

Prohibition on Employees Drinking on Duty

In Oklahoma, if you work in an establishment or for an event that sells or serves alcoholic beverages, it is illegal to be intoxicated or to drink alcohol while working. This is true from the moment a person first goes on duty until the end of their shift, including breaks. The only exceptions to this rule are people working as entertainers only.

The Establishment's Right to Refuse Service

It is important to remember that you and your establishment always have the right to refuse service. That is true whether you are unsure of a guest's age or if you think a guest is intoxicated.

It is also important to remember that the right to refuse service is not a right to discriminate. States hold operators of establishments and their employees liable if they discriminate against guests due to:

- Race
- Color
- Gender
- Sexual orientation
- Age
- Disability
- Religion
- Creed