

**FY 2026 Budget Performance Review
030 ABE Commission**

Version Original
Lead Administrator: Brandon Clabes

Date submitted 10/1/2024
Lead Financial Officer: Jennifer Treadwell

Agency Mission

The mission of the ABE Commission is to protect the public welfare and interest in the enforcement of the laws pertaining to alcoholic beverages, charity games, and youth access to tobacco.

Division and Program Descriptions

Note: Please define any acronyms used in program descriptions.

Trade Practices

The Trade Practices Division performs a wide array of functions including investigating violations of Oklahoma statutes and ABE Rules and Regulations for the manufacturing and distribution level tiers of the alcohol industry, ensuring all alcoholic beverages sold in Oklahoma are properly registered and performs review and issuance of alcohol licensing for events including charitable, special and public events. Trade Practices staff routinely speak at public forums with industry members, law enforcement agencies and other stakeholders in the alcohol industry. The division is also responsible for Fleet Management.

Alcohol and Tobacco Education

The function of the Education and Training Unit is to conduct and manage enforcement, education and training mainly to focus on reducing the dangers of underage drinking and the over service of alcoholic beverages. We do this in many ways including alcohol compliance checks, bar checks, law enforcement training programs, community events, etc. This unit is also responsible for the FDA's tobacco and vape enforcement programs. This unit has agents assigned full time to the FDA program to ensure businesses are not selling tobacco and vape products to minors as well as following other federal tobacco regulations. This unit also manages ABE Commission approved employee training programs, the vapor product registration program, and emergency management duties.

Enforcement

The Enforcement Division is tasked with ensuring compliance with the Oklahoma Alcoholic Beverage Control Act. This is accomplished through regular inspections of all licensed entities and investigations of complaints alleging law violations. Priority enforcement is directed toward the elimination of access to alcoholic beverages and tobacco products to underage persons. It is the intent of the Enforcement Division to investigate all complaints concerning these types of violations through cooperative efforts with all state, county, and municipal law enforcement agencies.

Licensing

The Licensing Division processes new, renewal, and change applications for all entities required to obtain a license in accordance with Oklahoma State Statutes; Ensures that the licenses are issued in a timely fashion; and establishes and maintains the paper and digital master files.

FY'25 Budgeted Department Funding By Source

Dept. #	Department Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
1000001	Administration	\$1,321,748		\$441,058			\$1,762,806
3000001	Enforcement	\$2,929,913		\$4,514,643			\$7,444,556
5000002	Licensing	\$433,929					\$433,929
5000003	Registration & Business Services	\$189,860					\$189,860
8800050	ISP DP	\$300,000		\$759,200			\$1,059,200
							\$0
							\$0
Total		\$5,175,450	\$0	\$5,714,901	\$0	\$0	\$10,890,351

- Please describe source of Local funding not included in other categories:
- Please describe source(s) and % of total of "Other" funding if applicable for each department:

Balances of Appropriated Funds from Prior Fiscal Years

3-digit Class Fund #	Class Fund Name	GA Bill # and Section #	Fiscal Year of Original Appropriation	Original Appropriation Amount (\$)	Total Expended Amount as of 8/31/2024 (\$)	Balance as of 8/31/2024 (\$)
193	FY2023 Appropriations		FY23	\$2,753,659	\$2,736,067	\$17,592
194	FY2024 Appropriations		FY24	\$5,095,450	\$3,769,271	\$1,326,179
						\$0
Total remaining prior year appropriation balance:						\$1,343,771

Report appropriations that have existing balances from all prior fiscal years at the 3-digit class fund number (i.e. 193, 194). Do not report carryover class funds separately. Include appropriations located in disbursing funds. Report PREP, but not ARPA/SRF, appropriations.

What changes did the agency make between FY'24 and FY'25?

- Are there any services no longer provided because of budget cuts?
None
- What services are provided at a higher cost to the user?
None
- What services are still provided but with a slower response rate?
None
- Did the agency provide any pay raises that were not legislatively/statutorily required?
Yes, the director and assistant director received a salary increase associated with satisfactory completion of first year of employment, staff attorneys and chief of enforcement received salary adjustments to coincide with additional duties.

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Appropriation Increase Review					
Appropriation Increase Purpose	Appropriation Increases <i>(Additional to Agency Base Appropriation)</i>			Expenditures	
	FY 2023	FY 2024	Total Amount Received FY 2023-2024	Total Expenditure of Increase as of 6/30/2024	If funds have not been spent, please explain why.
Operations	\$0	\$2,096,791	\$2,096,791	\$770,612	Still processing payments into FY25 but will finalize in the next several weeks
Software	\$0	\$145,000	\$145,000	\$145,000	
Box truck and maintenance	\$0	\$70,000	\$70,000	\$70,000	Purchased truck and enclosed trailer
Secure storage	\$0	\$30,000	\$30,000	\$30,000	
	\$0		\$0		
Total:	\$0	\$2,341,791	\$2,341,791	\$1,015,612	

List appropriation increases that the agency has received in the prior two years. List amounts received in each year. Include PREP, but not ARPA/SRF, appropriations.

FY'26 Requested Funding By Department and Source							
Dept. #	Department Name	Appropriations	Federal	Revolving	Other ¹	Total	% Change
N/A		\$1,321,748	\$0	\$441,058	\$0	\$1,762,806	0.00%
		\$2,929,913	\$0	\$4,514,643	\$0	\$7,444,556	0.00%
		\$433,929	\$0	\$0	\$0	\$433,929	0.00%
		\$189,860	\$0	\$0	\$0	\$189,860	0.00%
		\$300,000	\$0	\$759,200	\$0	\$1,059,200	0.00%
Total		\$5,175,450	\$0	\$5,714,901	\$0	\$10,890,351	0.00%

1. Please describe source(s) and % of total of "Other" funding for each department:

FY'26 Top Five Operational Appropriated Funding Increase Requests				
Request by Priority	Request Description	Is this a Supplemental Request? (Yes/No)	Timeframe (One-Time or Recurring)	Appropriation Request Increase Amount (\$)
Request 1:	N/A			
Request 2:				
Request 3:				
Request 4:				
Request 5:				
Top Five Request Subtotal:				\$0
Total Increase above FY-25 Budget (including all requests)				
Difference between Top Five requests and total requests:				\$0

What are the agency's top 2-3 capital or technology (one-time) requests, if applicable?		
Description of requested increase in order of priority	Needed State Funding for Project (\$)	Submitted to LRCP or OCAMP? (Yes/No)
Priority 1 N/A		
Priority 2		
Priority 3		

List any requests for new construction from the Legacy Capital Fund		
Description of requested increase in order of priority	Needed State Funding for Project (\$)	Submitted to LRCP? (Yes/No)
Priority 1 N/A		
Priority 2		
Priority 3		

Does the agency have any costs associated with the Pathfinder retirement system and federal employees?
None

How would the agency be affected by receiving the same appropriation for FY '26 as was received in FY '25? (Flat/ 0% change)
ABLE Commission is not asking for increased appropriations funding in FY26.

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How would the agency handle a 2% appropriation reduction in FY '26?

ABLE Commission would have to reduce variable costs.

Is the agency seeking any fee increases for FY '26?		
Description of requested increase in order of priority	Fee Increase Request (\$)	Statutory change required? (Yes/No)
Increase 1 None		
Increase 2		
Increase 3		

Federal Funds							
CFDA	Federal Program Name	Agency Dept. #	FY 25 budget (\$)	FY 24 actuals (\$)	FY 23 actuals (\$)	FY 22 actuals (\$)	FY 24 budgeted FTE (#)
	N/A						

Federal Government Impact
1.) How much federal money received by the agency is tied to a mandate by the Federal Government?
None
2.) Are any of those funds inadequate to pay for the federal mandate?
None
3.) What would the consequences be of ending all of the federal funded programs for your agency?
None
4.) How will your agency be affected by federal budget cuts in the coming fiscal year?
None
5.) Has the agency requested any additional federal earmarks or increases?
None

FY 2025 Budgeted FTE							
Division #	Division Name	Supervisors	Non-Supervisors	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$100K	\$100K+
1000001	Administration	4	4	0	2	2	4
3000001	Enforcement	8	24	0	10	22	0
5000002	Licensing	1	5	0	5	1	0
5000003	Cashier Office	0	1	0	1	0	0
Total		13	34	0	18	25	4

FTE History by Fiscal Year							
Division #	Division Name	FY 2025 Budgeted	FY 2025 YTD	FY 2024	FY 2023	FY 2022	FY 2016
1000001	Administration	8.0	8.0	8.0	6.0	5.0	
3000001	Enforcement	32.0	32.0	25.0	25.0	26.0	
5000002	Licensing	6.0	5.0	5.0	3.0	3.0	
5000003	Cashier	1.0	1.0	2.0	4.0	6.0	
Total		47.0	46.0	40.0	38.0	40.0	0.0

Performance Measure Review					
	FY 2024	FY 2023	FY 2022	FY 2021	FY 2020
Trade Practices					
Brand registration compliance rate	95.0%	85.0%			
Agency fleet replacement plan	20.0%	0.0%			
Alcohol & Tobacco Education					
Increase the youth access to alcohol compliance rate	82.6%	79.6%			
Synar youth access to tobacco compliance rate	86.4%	79.8%			

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Train more local law enforcement to conduct alcohol enforcement programs	17	8		
Enforcement				
Complaints investigated within 45 days of receipt	45			
Business inspections completed within 30 days of receipt	30			
Quality service contacts per month per agent	15			
Licensing				
Increased staff to improve customer service	5	3		

Revolving Funds (200 Series Funds)			
	FY'22-24 Avg. Revenues	FY'22-24 Avg. Expenditures	June '24 Balance
Fund: 200 Surcharges			
<i>Previous to the Governance Fund, ABLÉ used Surcharges Fund for revenue received from surcharges allowed on liquor licenses.</i>	\$0	\$9,922	\$61,205
Fund: 205 Seized			
<i>The Seized Fund is a revolving fund for depositing any cash seizures in the course of business. The cash funds remain until the case is disposed, at that time, the cash is handled according to the court's decision.</i>	\$0	\$3,479	\$267,139
Fund: 210 Governance			
<i>Governance Fund is the agency revolving fund for revenue received from surcharges allowed on liquor licenses.</i>	\$2,569,657	\$2,682,730	\$1,509,776

FY 2025 Current Employee Telework Summary						
<i>List each agency physical location (not division), then report the number of employees associated with that location in the teleworking categories indicated. Use "No specified location" to account for remote employees not associated with a site. Use actual current employees (headcount), not budgeted or actual FTE.</i>			Full-time and Part-time Employees (#)			
Agency Location / Address	City	County	Onsite (5 days onsite, rarely remote)	Hybrid (2-4 days onsite weekly)	Remote (1 day or less weekly onsite)	Total Employees
N/A						0
Total Agency Employees						0