

House Bill 2363

Sponsored by Representative SALINAS (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows certain holders of temporary event licenses to sell alcoholic beverages for on and off-premises consumption at more than one location on licensed premises.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to temporary sales licenses; creating new provisions; amending ORS 471.190; and prescrib-
3 ing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 471.190 is amended to read:

6 471.190. (1) The holder of a temporary sales license may:

7 (a) Sell at retail by the drink wine, malt beverages, cider and distilled liquor.

8 (b) Sell for consumption off the licensed premises wine, malt beverages and cider in factory-
9 sealed containers.

10 (c) Sell for consumption off the licensed premises wine, malt beverages and cider in securely
11 covered containers supplied by the consumer and having capacities of not more than two gallons
12 each.

13 (2) Distilled liquor served by the holder of a temporary sales license must be purchased from a
14 retail sales agent of the Oregon Liquor Control Commission. The holder of a temporary sales license
15 must provide food service as required by commission rule.

16 (3) A temporary sales license may be issued only to:

17 (a) Nonprofit or charitable organizations that are registered with the state.

18 (b) A political committee that has filed a statement of organization under ORS 260.039 or
19 260.042.

20 (c) State agencies.

21 (d) Local governments, and agencies and departments of local governments.

22 (e) Persons not otherwise described in this subsection, as long as the applicant submits a plan
23 that is approved by the commission detailing how minors will be prevented from gaining access to
24 alcoholic beverages and how minors will be prevented from gaining access to any portion of the li-
25 censed premises prohibited to minors under ORS 471.430 (3) or any rule adopted by the commission.

26 (4) The commission may by rule establish additional eligibility requirements for temporary sales
27 licenses.

28 (5) Subject to such qualifications as the commission may establish by rule, persons who hold a
29 full or limited on-premises sales license are eligible for temporary sales licenses.

30 **(6)(a) A temporary sales license issued to a person described in subsection (3)(a), (c) or**
31 **(d) of this section authorizes the holder of the temporary sales license to have on the li-**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 **censed premises more than one location at which wine, malt beverages, cider or distilled li-**
2 **quor are sold at retail by the drink or for consumption off the licensed premises.**

3 **(b) The commission may adopt rules to carry out this subsection.**

4 [(6)] (7) A person holding a temporary sales license is not required to obtain an intermittent
5 temporary restaurant, seasonal temporary restaurant, single-event temporary restaurant license or
6 mobile unit license under ORS chapter 624 if only wine, malt beverages and cider in single-service
7 containers are served and only nonperishable food items that are exempted from licensure by the
8 Oregon Health Authority are served.

9 [(7)] (8) Employees and volunteers serving alcoholic beverages for a nonprofit or charitable or-
10 ganization licensed under this section are not required to have service permits or to complete an
11 alcohol server education program and examination under ORS 471.542. The commission by rule may
12 establish education requirements for servers described in this subsection.

13 [(8)] (9) Notwithstanding ORS 471.392 to 471.400, a temporary sales license may be issued to a
14 nonprofit trade association that has a membership primarily composed of persons that hold winery
15 licenses issued under ORS 471.223 or grower sales privilege licenses issued under ORS 471.227.

16 **SECTION 2. (1) The amendments to ORS 471.190 by section 1 of this 2021 Act become**
17 **operative on January 1, 2022.**

18 **(2) The Oregon Liquor Control Commission may take any action before the operative date**
19 **specified in subsection (1) of this section that is necessary to enable the commission to ex-**
20 **ercise, on and after the operative date specified in subsection (1) of this section, all of the**
21 **duties, functions and powers conferred on the commission by the amendments to ORS 471.190**
22 **by section 1 of this 2021 Act.**

23 **SECTION 3. This 2021 Act takes effect on the 91st day after the date on which the 2021**
24 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**