

SENATE AMENDMENTS TO RESOLVE CONFLICTS TO HOUSE BILL 2740

By JOINT COMMITTEE ON WAYS AND MEANS

June 25

1 On page 2 of the printed bill, delete lines 32 through 45.

2 On page 3, delete lines 1 through 32 and insert:

3 “**SECTION 3.** ORS 471.750, as amended by section 14, chapter 180, Oregon Laws 2021 (Enrolled
4 House Bill 2264), is amended to read:

5 “471.750. (1) The Oregon Liquor Control Commission shall establish stores and warehouses in
6 places in this state that[,] in the commission’s judgment[,] are required by public convenience or
7 necessity, for the sale of distilled liquors, wines and other alcoholic liquors containing over five
8 percent alcohol by volume, in sealed containers for consumption off the premises. The commission
9 shall keep on hand in the stores or warehouses **established under this section** *[the]* quantities and
10 kinds of alcoholic liquors as are reasonably required to supply the public demand.

11 “(2) Any person qualified to purchase alcoholic liquors from the commission may present to the
12 commission, or *[to a store established under this section]* **at any of the stores established by the**
13 **commission**, an application for any kind or brand of alcoholic liquor that the person may desire
14 and that may be manufactured or obtainable in any place in the United States[, *and*]. The commis-
15 sion shall obtain the alcoholic liquor and sell it to the applicant. The commission may not require
16 that an application for a kind or brand of alcoholic liquor include a commitment to purchase a
17 minimum amount of the **alcoholic** liquor or require that a purchase be for more than one container
18 of a kind or brand of alcoholic liquor if the **alcoholic** liquor:

19 “(a) Except as provided in subsection (6) of this section, has a retail sales price of \$30 or more
20 per container;

21 “(b) Is available through a distributor in the United States that does not require the commission
22 to acquire more than one case of the distilled liquor in a single transaction;

23 “(c) Is not regularly stocked by the commission; and

24 “(d) Is ordered in a 750 milliliter container size if available in that size.

25 “(3) The commission may not establish a store in any county or incorporated city of this state
26 where a local prohibitory law is in effect.

27 “(4) The commission may appoint agents in the sale of alcoholic liquors pursuant to agreements
28 negotiated between the commission and the agents, or representatives of the agent.

29 “(5)(a) The commission shall adopt rules governing advertising by stores operated by the com-
30 mission. Rules relating to advertising adopted by the commission under this subsection must allow
31 signs and displays within the **commission’s** stores for the purpose of supplying consumer informa-
32 tion to customers, including but not limited to discounts, sales and other specials. Commission dis-
33 cretion with respect to *[those]* **the** signs and displays *[shall be]* **described in this subsection is**
34 limited to regulation of the content, size, number per brand, type and duration of the sign or display.

35 “(b) Signs and displays may be supplied by manufacturers, wholesalers or distributors, and may

1 bear the name of a particular distillery, supplier or brand of liquor. The use of signs and displays
2 [*shall be*] **is** optional with the agent appointed by the commission.

3 “(6) The commission may annually adjust the price threshold established in subsection (2)(a) of
4 this section by a percentage equal to the percentage change in the Consumer Price Index for All
5 Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the
6 United States Department of Labor. However, the commission may not adjust the price threshold to
7 be less than \$30.

8 “(7) **The commission shall compensate an agent appointed under this section according**
9 **to the schedule established in section 2 of this 2021 Act.”**

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