

Senate Bill 394

Sponsored by Senator PROZANSKI (at the request of Oregon Brewers Guild) (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 nonprofit or charitable organization to sell alcoholic beverages at auction or through raffle once in three-month period.

A BILL FOR AN ACT

1
2 Relating to alcoholic beverages; amending ORS 471.162.

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

4 **SECTION 1.** ORS 471.162 is amended to read:

5 471.162. (1) Hospitals, sanitariums, convalescent homes, rest homes, retirement homes and facil-
6 ities for the care of the elderly that have been licensed or registered by the state may sell and serve
7 alcoholic beverages to patients, inmates and residents, and to bona fide visitors and guests of pa-
8 tients, inmates and residents, without a license issued under this chapter. Facilities authorized to
9 sell and serve alcoholic beverages without a license under this subsection may not sell or serve al-
10 coholic beverages after 10 p.m. except upon a physician's prescription.

11 (2) A person who operates a private residence that is not a boarding house but that accommo-
12 dates transient guests for a limited duration may sell and serve wine, malt beverages and cider to
13 registered overnight guests without a license. Facilities authorized to sell and serve alcoholic
14 beverages without a license under this subsection must have six or fewer guest units.

15 (3) A person who is an employee or agent of the holder of a license issued under this chapter
16 that authorizes wholesale distribution of alcoholic beverages may, on behalf of the licensee, sell al-
17 coholic beverages in factory-sealed containers to retail licensees and wholesalers.

18 (4) A pharmacist licensed under the laws of this state may sell alcoholic beverages without a
19 license. Pharmacists may only sell alcoholic beverages under the provisions of this section if the
20 alcoholic beverages are drugs as defined in ORS 689.005. A pharmacist may sell alcoholic beverages
21 under the provisions of this subsection pursuant to a prescription, in containers of not more than
22 one quart capacity.

23 (5) A wine collector, or the agent of a wine collector, may sell wine in factory-sealed containers
24 at auction without a license. Any wine sold under this subsection must have been held by the col-
25 lector for at least a six-month period. A wine collector must receive written approval from the
26 Oregon Liquor Control Commission before conducting a sale under this subsection. No more than
27 one sale in a 12-month period may be conducted by a wine collector under the provisions of this
28 subsection.

29 (6) A nonprofit or charitable organization registered in this state may sell wine, malt beverages
30 and cider, including but not limited to donated homemade malt beverages, wine and fermented fruit
31 juices, and a total of not more than four liters of distilled liquor, in factory-sealed containers at an

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 auction or through a raffle without a license. The organization must receive written approval from
2 the commission before conducting an auction or raffle under this subsection. The organization may
3 conduct no more than one auction or raffle under this subsection in a [12-month] **three-month** pe-
4 riod. The auction or raffle may not have a duration of more than one day. The organization may sell
5 under this subsection wine, malt beverages, cider and distilled liquor purchased by or donated to the
6 organization. Except for donated homemade malt beverages, wine and fermented fruit juices, the
7 purchased or donated wine, malt beverages, cider and distilled liquor must be imported into this
8 state by the commission or be manufactured in or imported into this state under a brewery,
9 brewery-public house, distillery, grower sales privilege, winery or wholesale malt beverage and wine
10 license. As used in this subsection, "homemade" has the meaning given that term in ORS 471.037.

11 (7) A manufacturer may sell proprietary or patent medicines, perfumes, lotions, flavoring ex-
12 tracts, medicinal tinctures and other preparations unfit for beverage purposes without a license.

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