

HB 2363-2  
(LC 1635)  
2/5/21 (SCT/ps)

Requested by Representative GOMBERG

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2363**

1 On page 1 of the printed bill, line 2, after the first semicolon delete the  
2 rest of the line and delete line 3 and insert “amending ORS 471.190; and de-  
3 claring an emergency.”.

4 Delete lines 5 through 31 and delete page 2 and insert:

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  
8 liquor.

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

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

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

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

19 “(a) Nonprofit or charitable organizations that are registered with the  
20 state.

21 “(b) A political committee that has filed a statement of organization un-

1 der ORS 260.039 or 260.042.

2 “(c) State agencies.

3 “(d) Local governments, and agencies and departments of local govern-  
4 ments.

5 “(e) Persons not otherwise described in this subsection, as long as the  
6 applicant submits a plan that is approved by the commission detailing how  
7 minors will be prevented from gaining access to alcoholic beverages and how  
8 minors will be prevented from gaining access to any portion of the licensed  
9 premises prohibited to minors under ORS 471.430 (3) or any rule adopted by  
10 the commission.

11 “(4) The commission may by rule establish additional eligibility require-  
12 ments for temporary sales licenses.

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

16 “(6)(a) **A temporary sales license issued to a person described in**  
17 **subsection (3)(a), (c) or (d) of this section authorizes the holder of the**  
18 **temporary sales license to:**

19 “(A)(i) **Have on a single licensed premises more than one location**  
20 **at which wine, malt beverages, cider or distilled liquor are sold at re-**  
21 **tail by the drink or for consumption off the licensed premises; or**

22 “(ii) **Have up to three separate premises in this state licensed under**  
23 **the temporary sales license at which wine, malt beverages or cider are**  
24 **sold for consumption off the licensed premises; and**

25 “(B) **Operate for up to 30 days, whether or not the days are con-**  
26 **secutive.**

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

28 “[6] (7) A person holding a temporary sales license is not required to  
29 obtain an intermittent temporary restaurant, seasonal temporary restaurant,  
30 single-event temporary restaurant license or mobile unit license under ORS

1 chapter 624 if only wine, malt beverages and cider in single-service contain-  
2 ers are served and only nonperishable food items that are exempted from  
3 licensure by the Oregon Health Authority are served.

4 “[7] (8) Employees and volunteers serving alcoholic beverages for a  
5 nonprofit or charitable organization licensed under this section are not re-  
6 quired to have service permits or to complete an alcohol server education  
7 program and examination under ORS 471.542. The commission by rule may  
8 establish education requirements for servers described in this subsection.

9 “[8] (9) Notwithstanding ORS 471.392 to 471.400, a temporary sales li-  
10 cense may be issued to a nonprofit trade association that has a membership  
11 primarily composed of persons that hold winery licenses issued under ORS  
12 471.223 or grower sales privilege licenses issued under ORS 471.227.

13 **“SECTION 2. This 2021 Act being necessary for the immediate**  
14 **preservation of the public peace, health and safety, an emergency is**  
15 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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