

Requested by Representative GOMBERG

**PROPOSED AMENDMENTS TO
HOUSE BILL 2363**

1 On page 1 of the printed bill, line 2, delete “and prescrib-” and delete line
2 3 and insert “and declaring an emergency.”.

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

4 **“SECTION 1.** ORS 471.190 is amended to read:

5 “471.190. (1) The holder of a temporary sales license may:

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

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

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

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

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

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

20 “(b) A political committee that has filed a statement of organization un-
21 der ORS 260.039 or 260.042.

1 “(c) State agencies.

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

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

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

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

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

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

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

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

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

27 “[6] (7) A person holding a temporary sales license is not required to
28 obtain an intermittent temporary restaurant, seasonal temporary restaurant,
29 single-event temporary restaurant license or mobile unit license under ORS
30 chapter 624 if only wine, malt beverages and cider in single-service contain-

1 ers are served and only nonperishable food items that are exempted from
2 licensure by the Oregon Health Authority are served.

3 “[7] (8) Employees and volunteers serving alcoholic beverages for a
4 nonprofit or charitable organization licensed under this section are not re-
5 quired to have service permits or to complete an alcohol server education
6 program and examination under ORS 471.542. The commission by rule may
7 establish education requirements for servers described in this subsection.

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

12 **“SECTION 2. The amendments to ORS 471.190 by section 1 of this**
13 **2021 Act apply to temporary sales licenses issued on or after January**
14 **1, 2021.**

15 **“SECTION 3. This 2021 Act being necessary for the immediate**
16 **preservation of the public peace, health and safety, an emergency is**
17 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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