

HB 2740-1
(LC 1585)
6/23/21 (SCT/ps)

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO RESOLVE CONFLICTS TO
HOUSE BILL 2740**

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
4 Laws 2021 (Enrolled House Bill 2264), is amended to read:

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

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

1 one container of a kind or brand of alcoholic liquor if the **alcoholic** liquor:

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

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

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

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

9 “(3) The commission may not establish a store in any county or incorpo-
10 rated city of this state where a local prohibitory law is in effect.

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

14 “(5)(a) The commission shall adopt rules governing advertising by stores
15 operated by the commission. Rules relating to advertising adopted by the
16 commission under this subsection must allow signs and displays within the
17 **commission’s** stores for the purpose of supplying consumer information to
18 customers, including but not limited to discounts, sales and other specials.
19 Commission discretion with respect to [*those*] **the** signs and displays [*shall*
20 *be*] **described in this subsection is** limited to regulation of the content,
21 size, number per brand, type and duration of the sign or display.

22 “(b) Signs and displays may be supplied by manufacturers, wholesalers
23 or distributors, and may bear the name of a particular distillery, supplier or
24 brand of liquor. The use of signs and displays [*shall be*] **is** optional with the
25 agent appointed by the commission.

26 “(6) The commission may annually adjust the price threshold established
27 in subsection (2)(a) of this section by a percentage equal to the percentage
28 change in the Consumer Price Index for All Urban Consumers, West Region
29 (All Items), as published by the Bureau of Labor Statistics of the United
30 States Department of Labor. However, the commission may not adjust the

1 price threshold to be less than \$30.

2 “(7) The commission shall compensate an agent appointed under
3 this section according to the schedule established in section 2 of this
4 2021 Act.”

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