

A-Engrossed
House Bill 2282

Ordered by the House April 14
Including House Amendments dated April 14

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Economic Development, Small Business, and Trade for Representative Daniel Nguyen)

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act says that a person has to get a new kind of permit from the OLCC to sell alcohol to consumers. The Act also changes how often minor decoy operations happen for liquor stores and distilleries. (Flesch Readability Score: 60.0).

[Digest: The Act tells OLCC to study alcohol. (Flesch Readability Score: 78.8).]

[Requires the Oregon Liquor and Cannabis Commission to study alcohol. Directs the commission to submit findings to the interim committees of the Legislative Assembly related to economic development not later than September 15, 2026.]

[Sunsets on January 2, 2027.]

Requires certain individuals to hold a retail liquor sales permit from the Oregon Liquor and Cannabis Commission in order to sell alcohol to consumers. Creates exceptions. Punishes by a maximum fine of \$1,000.

Provides that a distillery licensee and a retail outlet agent appointed by the commission may not be subject to more than one minor decoy operation per calendar year. Creates exceptions.

Becomes operative on January 1, 2027.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to alcohol; creating new provisions; amending ORS 471.230, 471.322, 471.346, 471.365, 471.370, 471.380, 471.385, 471.542 and 471.750; and prescribing an effective date.

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

SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 471.360 to 471.385.

SECTION 2. (1) The following individuals must have a valid retail liquor sales permit issued by the Oregon Liquor and Cannabis Commission under this section in order to sell alcohol to consumers:

(a) Except as provided in subsection (4) of this section, an individual who performs work for or on behalf of a distillery licensee and whose work includes selling alcohol to consumers for or on behalf of the licensee.

(b) An individual who performs work for or on behalf of an agent appointed under ORS 471.750 and whose work includes selling alcohol to consumers for or on behalf of the agent.

(c) An individual who is an agent appointed under ORS 471.750.

(d) Except as provided in subsection (4) of this section, an individual who holds a distillery license issued under ORS 471.230, if the individual personally holds the license.

(2) The commission shall establish by rule a process for the issuance and renewal of a retail liquor sales permit. The rules adopted under this subsection must include:

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 **(a) Eligibility criteria for the issuance and renewal of a retail liquor sales permit;**

2 **(b) Fees; and**

3 **(c) Requirements that an applicant for a retail liquor sales permit be at least 18 years**
4 **of age and submit to the commission an application in a form and manner acceptable to the**
5 **commission.**

6 **(3) A permittee shall make the retail liquor sales permit available at any time while on**
7 **duty for immediate inspection by a regulatory specialist or other peace officer.**

8 **(4) An individual who holds a distillery license as described in subsection (1) of this sec-**
9 **tion, or who performs work for or on behalf of a distillery licensee, and who holds a service**
10 **permit required under ORS 471.360 is not required to also hold a retail liquor sales permit**
11 **under this section.**

12 **(5) Violation of this section is a Class B violation.**

13 **SECTION 3.** ORS 471.230 is amended to read:

14 471.230. (1) A distillery license allows the licensee to import, manufacture, distill, rectify, blend,
15 denature and store distilled liquor, to sell the distilled liquor to the Oregon Liquor and Cannabis
16 Commission and to transport the distilled liquor out of this state for sale outside this state.
17 Distillery licensees may purchase and sell distilled liquor from or to another distillery licensee in
18 containers having a capacity greater than one U.S. gallon for blending and manufacturing purposes.
19 A distillery licensee may not sell any alcoholic beverage within this state except to the commission
20 or as provided in this section. However, any agricultural producer or association of agricultural
21 producers or the legal agents of an agricultural producer or association of agricultural producers
22 that manufactures and converts agricultural surpluses, by-products and wastes into denatured ethyl
23 and industrial alcohol for use in the arts and industry are not required to obtain a license from the
24 commission.

25 (2) If a distillery licensee holds a valid distilled spirits plant basic permit issued by the federal
26 Alcohol and Tobacco Tax and Trade Bureau for the licensed premises, the distillery licensee may:

27 (a) Permit tastings of distilled liquor approved by the commission for sale in Oregon and manu-
28 factured in Oregon by the distillery licensee or by another distillery licensee. Tastings may be of
29 the distilled liquor alone or with a mix of other liquids. If any of the other liquids are distilled li-
30 quors, they must be distilled liquors on the list of products approved by the commission for retail
31 sale in Oregon and must be purchased by the licensee at the retail price established by the com-
32 mission. This paragraph does not authorize sales by the drink of distilled liquor. The tastings may
33 be conducted on the licensed premises of the distillery and at no more than five other premises
34 owned or leased by the licensee. The commission may allow more than one distillery licensee to use
35 the same premises at the same time for conducting tastings if the premises are a primary production
36 location and the licensees share the premises or are owned by the same entity. If the manufacturer
37 of the distilled liquor obtains distilled liquor for conducting tastings from the inventory of the
38 commission, the licensee shall pay the commission a processing fee.

39 (b) Obtain a special events distillery license.

40 (c) Apply for appointment by the commission as a distillery retail outlet agent for purposes of
41 retailing distilled liquor at locations where tastings are permitted under paragraph (a) of this sub-
42 section or subsection (4)(a) of this section. A distillery retail outlet agent may sell at locations
43 where tastings are allowed under paragraph (a) of this subsection only distilled liquor that is on the
44 list of products approved by the commission for retail sale in Oregon and is manufactured in Oregon
45 by the distillery licensee or by another distillery licensee that uses the same premises as a primary

1 production location or is owned by the same entity as the distillery licensee.

2 (3) Notwithstanding ORS 471.392 to 471.400, a distillery licensee may hold one or more full on-
3 premises sales licenses. All distilled liquor sold under a full on-premises sales license must be pur-
4 chased from the commission.

5 (4) A distillery licensee that holds a special events distillery license may conduct an event on
6 premises designated in the special events distillery license. Except as provided in this subsection,
7 a special events distillery license may be valid for a period not exceeding five days. The commission
8 shall limit the approval of special events distillery licenses for a distillery licensee at the same lo-
9 cation to not more than 62 days during a calendar year. A distillery licensee conducting a special
10 event may:

11 (a) Permit tastings of distilled liquor approved by the commission for sale in Oregon and manu-
12 factured in Oregon by the distillery licensee. Tastings may be of the distilled liquor alone or with
13 a mix of other liquids. If any of the other liquids are distilled liquors, they must be distilled liquors
14 on the list of products approved by the commission for retail sale in Oregon and must be purchased
15 by the licensee at the retail price established by the commission. If the manufacturer of the distilled
16 liquor obtains distilled liquor for conducting tastings from the inventory of the commission, the
17 licensee shall pay the commission a processing fee.

18 (b) Permit sales by the drink of distilled liquor. A drink that a distillery licensee sells under this
19 paragraph must include distilled liquor that the licensee manufactured in Oregon. Any distilled li-
20 quor contained in the drink must be on the list of products approved by the commission for retail
21 sale in Oregon. The distillery licensee selling the drink must purchase all distilled liquor contained
22 in the drink at the retail price set by the commission for the month in which the drink is sold.

23 (c) If the distillery licensee has been appointed as a distillery retail outlet agent under sub-
24 section (2)(c) of this section, sell distilled liquor in factory-sealed containers for consumption off the
25 licensed premises. A distillery retail outlet agent may sell at a location where tastings are allowed
26 under paragraph (a) of this subsection only distilled liquor that is on the list of products approved
27 by the commission for retail sale in Oregon and is manufactured in Oregon by the distillery licensee.
28 The distillery retail outlet agent must sell the distilled liquor at the retail price set by the com-
29 mission for the month of sale.

30 (5) The commission shall pay a distillery retail outlet agent compensation for distilled liquor
31 retail sales by the agent under subsection (2)(c) or (4)(c) of this section. The compensation rate shall
32 be:

33 (a) For the first \$250,000 of annual total combined retail sales from all distillery retail outlet
34 agent tasting locations operated by the distillery licensee under subsection (2)(a) or (4)(a) of this
35 section, 45 percent of the retail price set by the commission for the sold distilled liquor.

36 (b) For distilled liquor retail sales by the agent that are not described in paragraph (a) of this
37 subsection, 17 percent of the retail price set by the commission for the sold distilled liquor.

38 **(6) Except as provided in section 2 (4) of this 2025 Act, a distillery licensee shall ensure**
39 **that an individual who performs work for or on behalf of the distillery licensee holds a valid**
40 **retail liquor sales permit issued under section 2 of this 2025 Act if the individual sells alcohol**
41 **to consumers for or on behalf of the distillery licensee.**

42 **SECTION 4.** ORS 471.230, as amended by section 3, chapter 649, Oregon Laws 2021, is amended
43 to read:

44 471.230. (1) A distillery license allows the licensee to import, manufacture, distill, rectify, blend,
45 denature and store distilled liquor, to sell the distilled liquor to the Oregon Liquor and Cannabis

1 Commission and to transport the distilled liquor out of this state for sale outside this state.
2 Distillery licensees may purchase and sell distilled liquor from or to another distillery licensee in
3 containers having a capacity greater than one U.S. gallon for blending and manufacturing purposes.
4 A distillery licensee may not sell any alcoholic beverage within this state except to the commission
5 or as provided in this section. However, any agricultural producer or association of agricultural
6 producers or the legal agents of an agricultural producer or association of agricultural producers
7 that manufactures and converts agricultural surpluses, by-products and wastes into denatured ethyl
8 and industrial alcohol for use in the arts and industry are not required to obtain a license from the
9 commission.

10 (2) If a distillery licensee holds a valid distilled spirits plant basic permit issued by the federal
11 Alcohol and Tobacco Tax and Trade Bureau for the licensed premises, the distillery licensee may:

12 (a) Permit tastings of distilled liquor approved by the commission for sale in Oregon and manu-
13 factured in Oregon by the distillery licensee or by another distillery licensee. Tastings may be of
14 the distilled liquor alone or with a mix of other liquids. If any of the other liquids are distilled li-
15 quors, they must be distilled liquors on the list of products approved by the commission for retail
16 sale in Oregon and must be purchased by the licensee at the retail price established by the com-
17 mission. This paragraph does not authorize sales by the drink of distilled liquor. The tastings may
18 be conducted on the licensed premises of the distillery and at no more than five other premises
19 owned or leased by the licensee. The commission may allow more than one distillery licensee to use
20 the same premises at the same time for conducting tastings if the premises are a primary production
21 location and the licensees share the premises or are owned by the same entity. If the manufacturer
22 of the distilled liquor obtains distilled liquor for conducting tastings from the inventory of the
23 commission, the licensee shall pay the commission a processing fee.

24 (b) Obtain a special events distillery license.

25 (c) Apply for appointment by the commission as a distillery retail outlet agent for purposes of
26 retailing distilled liquor at locations where tastings are permitted under paragraph (a) of this sub-
27 section or subsection (4)(a) of this section. A distillery retail outlet agent may sell at locations
28 where tastings are allowed under paragraph (a) of this subsection only distilled liquor that is on the
29 list of products approved by the commission for retail sale in Oregon and is manufactured in Oregon
30 by the distillery licensee or by another distillery licensee that uses the same premises as a primary
31 production location or is owned by the same entity as the distillery licensee.

32 (3) Notwithstanding ORS 471.392 to 471.400, a distillery licensee may hold one or more full on-
33 premises sales licenses. All distilled liquor sold under a full on-premises sales license must be pur-
34 chased from the commission.

35 (4) A distillery licensee that holds a special events distillery license may conduct an event on
36 premises designated in the special events distillery license. Except as provided in this subsection,
37 a special events distillery license may be valid for a period not exceeding five days. The commission
38 shall limit the approval of special events distillery licenses for a distillery licensee at the same lo-
39 cation to not more than 62 days during a calendar year. A distillery licensee conducting a special
40 event may:

41 (a) Permit tastings of distilled liquor approved by the commission for sale in Oregon and manu-
42 factured in Oregon by the distillery licensee. Tastings may be of the distilled liquor alone or with
43 a mix of other liquids. If any of the other liquids are distilled liquors, they must be distilled liquors
44 on the list of products approved by the commission for retail sale in Oregon and must be purchased
45 by the licensee at the retail price established by the commission. If the manufacturer of the distilled

1 liquor obtains distilled liquor for conducting tastings from the inventory of the commission, the
2 licensee shall pay the commission a processing fee.

3 (b) Permit sales by the drink of distilled liquor. A drink that a distillery licensee sells under this
4 paragraph must include distilled liquor that the licensee manufactured in Oregon. Any distilled li-
5 quor contained in the drink must be on the list of products approved by the commission for retail
6 sale in Oregon. The distillery licensee selling the drink must purchase all distilled liquor contained
7 in the drink at the retail price set by the commission for the month in which the drink is sold.

8 (c) If the distillery licensee has been appointed as a distillery retail outlet agent under sub-
9 section (2)(c) of this section, sell distilled liquor in factory-sealed containers for consumption off the
10 licensed premises. A distillery retail outlet agent may sell at a location where tastings are allowed
11 under paragraph (a) of this subsection only distilled liquor that is on the list of products approved
12 by the commission for retail sale in Oregon and is manufactured in Oregon by the distillery licensee.
13 The distillery retail outlet agent must sell the distilled liquor at the retail price set by the com-
14 mission for the month of sale.

15 **(5) Except as provided in section 2 (4) of this 2025 Act, a distillery licensee shall ensure**
16 **that an individual who performs work for or on behalf of the distillery licensee holds a valid**
17 **retail liquor sales permit issued under section 2 of this 2025 Act if the individual sells alcohol**
18 **to consumers for or on behalf of the distillery licensee.**

19 **SECTION 5.** ORS 471.322 is amended to read:

20 471.322. (1) If a license issued under this chapter, a **retail liquor sales permit issued under**
21 **section 2 of this 2025 Act** or a service permit issued under ORS 471.360 is suspended for a period
22 of 30 days or less, the Oregon Liquor and Cannabis Commission may impose against the affected
23 licensee or permittee in lieu of or in addition to the suspension a civil penalty fixed by the com-
24 mission in accordance with subsection (2) of this section if the commission is satisfied that such a
25 penalty in lieu of or in addition to suspension is consistent with the purposes of the Liquor Control
26 Act [*and the Oregon Distilled Liquor Control Act*]. Upon payment of the penalty in lieu of suspen-
27 sion, the commission shall cancel the suspension.

28 (2) Except as provided in ORS 471.327, the penalty [*which*] **that** the commission may impose
29 pursuant to subsection (1) of this section against a licensee shall not be less than \$100 nor more
30 than \$5,000. The penalty [*which*] **that** the commission may impose pursuant to subsection (1) of this
31 section against a [*service*] permittee shall not be less than \$25 nor more than \$500.

32 (3) Civil penalties under this section shall be imposed as provided in ORS 183.745.

33 **SECTION 6.** ORS 471.346 is amended to read:

34 471.346. (1)(a) The Oregon Liquor and Cannabis Commission shall by rule develop uniform
35 standards for minor decoy operations used to investigate licensees, permittees, agents appointed by
36 the commission, third-party delivery facilitators and any person delivering alcoholic beverages to
37 final consumers in this state for violations of the laws of this state prohibiting sales and deliveries
38 of alcoholic beverages to minors.

39 (b) Uniform standards established by the commission under this section apply to all investi-
40 gations conducted by the commission that use minor decoys. The commission shall encourage all law
41 enforcement agencies of this state to use the uniform standards established under this section for
42 minor decoy operations conducted by the law enforcement agencies.

43 (2) To the greatest extent possible, the uniform standards established by the commission under
44 this section must:

45 (a) Be the same for minor decoy operations conducted by the commission and for minor decoy

1 operations conducted by law enforcement agencies of this state; and

2 (b) Provide for coordination between the commission and law enforcement agencies of this state
3 in conducting minor decoy operations.

4 (3)(a) **Except as provided in subsection (4) of this section,** the uniform standards established
5 by the commission under this section for investigating sales by licensees occurring on licensed
6 premises [*and in-store sales by agents appointed by the commission*] must provide that:

7 (A) Minor decoy operations must be conducted on either a random or a targeted basis in cities
8 with populations of 20,000 or more.

9 (B) Random minor decoy operations must cover a range of licensed premises [*and retail*
10 *outlets*]. For the purpose of implementing standards for random minor decoy operations under this
11 subparagraph, the commission shall by rule adopt a methodology that produces, to the greatest ex-
12 tent possible, an equal chance that any licensee [*or agent*] will be subject to a minor decoy opera-
13 tion.

14 (C) Targeted minor decoy operations may be conducted for a single licensee [*or agent*], but may
15 be used only if there is a documented compliance problem with the specific licensee [*or agent*] that
16 is the target of the minor decoy operation.

17 (b) Investigations of deliveries of alcoholic beverages to final consumers in this state are exempt
18 from the requirements for random and targeted minor decoy operations under paragraph (a) of this
19 subsection.

20 (4)(a) **Except as provided in paragraph (b) of this subsection, the uniform standards es-**
21 **tablished by the commission under this section for investigating sales by a person that holds**
22 **a license issued under ORS 471.230 or by an agent appointed under ORS 471.750 must provide**
23 **that the licensee or the agent may be subject to no more than one minor decoy operation**
24 **per calendar year.**

25 (b) **If a licensee or agent described in paragraph (a) of this subsection holds any other**
26 **license issued under this chapter for a different premises than the premises described in**
27 **paragraph (a) of this subsection, the premises may be subject to:**

28 (A) **No more than one minor decoy operation per calendar year if the premises is licensed**
29 **under ORS 471.230; or**

30 (B) **The random or targeted minor decoy operations described in subsection (3) of this**
31 **section if the premises is not licensed under ORS 471.230.**

32 [(4)] (5) Except as provided in subsection [(5)] (6) of this section, the failure of the commission
33 or of a law enforcement agency to follow uniform standards established by the commission under
34 this section is not grounds for challenging any complaint, citation or conviction for violation of the
35 laws prohibiting the sale or delivery of alcoholic beverages to minors.

36 [(5)] (6) In determining whether to impose sanctions based on multiple violations of the laws of
37 this state prohibiting sales or deliveries of alcoholic beverages to minors, the commission may not
38 consider any complaint filed against, citation issued to or conviction of a licensee, permittee, agent
39 appointed by the commission, third-party delivery facilitator or a person delivering alcoholic
40 beverages to final consumers for selling or delivering alcoholic beverages to a minor if the com-
41 plaint, citation or conviction arose out of a minor decoy operation that was not conducted pursuant
42 to the uniform standards established by the commission under this section.

43 [(6)] (7) Notwithstanding any other provision of this chapter, the commission may not consider
44 any sale or delivery of alcoholic beverages to a minor that results from a minor decoy operation that
45 is not conducted in compliance with the standards established under this section for the purpose of:

1 (a) Imposing any civil penalty against a licensee, permittee, agent appointed by the commission,
2 third-party delivery facilitator or a person delivering alcoholic beverages to final consumers;

3 (b) Making a decision on the renewal, suspension or cancellation of a license, permit, appoint-
4 ment or third-party delivery facilitator permit issued under this chapter or rules adopted under this
5 chapter; or

6 (c) Otherwise sanctioning a licensee, permittee, agent appointed by the commission, third-party
7 delivery facilitator or a person delivering alcoholic beverages to final consumers for the sale or
8 delivery of alcoholic beverages to a minor.

9 [(7)] (8) The commission shall give notice of the uniform standards established under this section
10 to all law enforcement agencies of this state that conduct minor decoy operations.

11 **SECTION 7.** ORS 471.365, as amended by section 11, chapter 40, Oregon Laws 2024, is amended
12 to read:

13 471.365. (1) A **retail liquor sales permit**, service permit or a temporary service permit is a
14 purely personal privilege, valid only upon licensed premises, for the period of time stated on the
15 **retail liquor sale permit**, service permit or temporary service permit, and may be suspended or
16 revoked for any reason set forth in ORS 471.360 to 471.385.

17 (2) A **retail liquor sales permit**, service permit or temporary service permit may not be used
18 by any individual other than the individual to whom the **retail liquor sales permit**, service permit
19 or temporary service permit is issued. The licensee **or agent** shall verify the identification of the
20 permittee and determine that the permittee has in possession a **retail liquor sales permit**, service
21 permit or temporary service permit before allowing the permittee to perform a duty described in
22 ORS 471.360 (3) **or section 2 of this 2025 Act.**

23 **SECTION 8.** ORS 471.370 is amended to read:

24 471.370. Unless sooner suspended or revoked, a **retail liquor sales permit or a** service permit
25 expires five years after the date the Oregon Liquor and Cannabis Commission issues the permit.

26 **SECTION 9.** ORS 471.380, as amended by section 13, chapter 40, Oregon Laws 2024, is amended
27 to read:

28 471.380. (1) The Oregon Liquor and Cannabis Commission may refuse to issue a **retail liquor**
29 **sales permit**, service permit or temporary service permit, or may issue a restricted **retail liquor**
30 **sales permit or** service permit, if the commission has reasonable grounds to believe any of the
31 following to be true:

32 (a) That the applicant is in the habit of using alcoholic beverages or controlled substances to
33 excess.

34 (b) That the applicant has made false statements to the commission.

35 (c) That the applicant is incompetent or physically incapable of performing the duties of a
36 permittee.

37 (d) That the applicant has been convicted of violating any of the alcoholic liquor laws of this
38 state, general or local, or has been convicted at any time of a felony.

39 (e) That the applicant has not completed the alcohol server education course and examination
40 required by ORS 471.542.

41 (2) Notwithstanding ORS 183.435, an applicant who seeks review of the refusal of a **retail liquor**
42 **sales permit**, service permit or temporary service permit must request a hearing:

43 (a) Within 15 days after notification of the refusal, if the refusal is based on failure to complete
44 the alcohol server education course and examination; or

45 (b) Within 30 days after notification of the refusal, if the refusal is based on any grounds other

1 than failure to complete the alcohol server education course and examination.

2 (3) The refusal to issue a temporary service permit is not a contested case under ORS chapter
3 183.

4 **SECTION 10.** ORS 471.385, as amended by section 14, chapter 40, Oregon Laws 2024, is
5 amended to read:

6 471.385. (1) The Oregon Liquor and Cannabis Commission may revoke, restrict or suspend a
7 **retail liquor sales permit**, service permit or a temporary service permit, or impose a civil penalty
8 in lieu of or in addition to suspension as provided by ORS 471.322, if the commission finds or has
9 reasonable grounds to believe any of the following to be true:

10 (a) That the permittee has made false statements to the commission.

11 (b) That the permittee has been convicted of a felony, of violating any of the liquor laws of the
12 state, general or local, or any misdemeanor or violation of any municipal ordinance committed on
13 the licensed premises.

14 (c) That the permittee has performed or permitted any act which would constitute a violation
15 of any provision of this chapter or any rule of the commission, if the act were performed or per-
16 mitted by any licensee [*of the commission*] **or by an agent appointed by the commission.**

17 (d) That the permittee was aware of activities that the permittee had a duty to report under
18 ORS 471.271 and the permittee did not report.

19 (2) The issuance, restriction, suspension or revocation of a **retail liquor sales permit**, service
20 permit or temporary service permit under ORS 471.360 to 471.385 does not relieve a licensee **or**
21 **agent** from responsibility for any act of an employee on the licensee's premises **or premises for**
22 **which the agent is responsible.**

23 (3)(a) If a violation of this chapter or any rule adopted under this chapter occurs upon any li-
24 censed premises [*licensed by the commission*], the commission may revoke, restrict or suspend the
25 service permit or temporary service permit of the employee who violated the law or rule, the license
26 of the licensee upon whose premises the violation occurred or both the service permit or temporary
27 service permit and the license.

28 (b) **If a violation of this chapter or any rule adopted under this chapter occurs on a**
29 **premises for which an agent, as a result of appointment under ORS 471.750, is responsible,**
30 **the commission may revoke, restrict or suspend the retail liquor sales permit of the em-**
31 **ployee who violated the law or rule, the appointment of the agent described in this paragraph**
32 **or both the retail liquor sales permit and the appointment.**

33 (4) The commission may revoke, restrict or suspend a permittee's service permit and may impose
34 a civil penalty for an act or omission of the permittee that constitutes a reason described in sub-
35 section (1) of this section and that occurred during the time the permittee held a temporary service
36 permit.

37 (5) Civil penalties under this section shall be imposed as provided in ORS 183.745.

38 **SECTION 11.** ORS 471.542, as amended by section 15, chapter 40, Oregon Laws 2024, is
39 amended to read:

40 471.542. (1) The Oregon Liquor and Cannabis Commission shall require an individual applying
41 for issuance or renewal of a **retail liquor service permit issued under section 2 of this 2025 Act**
42 **or** service permit or temporary service permit issued under ORS 471.375 to complete an approved
43 alcohol server education course and examination as a condition of the issuance or renewal of the
44 permit.

45 (2) The commission shall by rule establish requirements for requalification for a **retail liquor**

1 **sales permit and a** service permit. A permittee shall provide proof to the commission that the
2 permittee has met the requirements established under this subsection once every five years after the
3 permittee completes the initial alcohol server education course and examination. The requirements
4 must include a requirement to retake the alcohol server education course and pass the examination.

5 (3) The commission may extend the time period described in subsection (2) of this section upon
6 a showing of hardship.

7 (4) The standards and curriculum of alcohol server education courses must include, but are not
8 limited to, the following:

9 (a) Alcohol as a drug and its effects on the body and behavior, especially driving ability.

10 (b) Effects of alcohol in combination with commonly used legal, prescription or nonprescription,
11 drugs and illegal drugs.

12 (c) Recognizing the problem drinker and community treatment programs and agencies.

13 (d) State alcohol beverage laws such as prohibition of sale to minors and sale to intoxicated
14 persons, sale for on-premises or off-premises consumption, hours of operation and penalties for vio-
15 lation of the laws.

16 (e) Drunk driving laws and liquor liability statutes.

17 (f) Intervention with the problem customer, including ways to cut off service, ways to deal with
18 the belligerent customer and alternative means of transportation to get the customer safely home.

19 (g) Advertising and marketing for safe and responsible drinking patterns and standard operating
20 procedures for dealing with customers.

21 (5) The commission shall adopt rules to impose reasonable fees for administrative costs on al-
22 cohol server education course instructors and providers.

23 (6) The commission shall provide alcohol server education courses and examinations through
24 independent contractors, private persons or private or public schools certified by the commission.
25 The commission shall adopt rules governing the manner in which alcohol server education courses
26 and examinations are made available to individuals required to take the courses and examinations.
27 In adopting rules under this subsection, the commission shall consider alternative means of provid-
28 ing courses, including but not limited to providing courses through audiotapes, videotapes, the
29 Internet and other electronic media.

30 **SECTION 12.** ORS 471.750 is amended to read:

31 471.750. (1) The Oregon Liquor and Cannabis Commission shall establish stores and warehouses
32 in places in this state that in the commission's judgment are required by public convenience or ne-
33 cessity, for the sale of distilled liquors, wines and other alcoholic liquors containing over five per-
34 cent alcohol by volume, in sealed containers for consumption off the premises. The commission shall
35 keep on hand in the stores or warehouses established under this section quantities and kinds of al-
36 coholic liquors as are reasonably required to supply the public demand.

37 (2) Any person qualified to purchase alcoholic liquors from the commission may present to the
38 commission, or at any of the stores established by the commission, an application for any kind or
39 brand of alcoholic liquor that the person may desire and that may be manufactured or obtainable
40 in any place in the United States. The commission shall obtain the alcoholic liquor and sell it to the
41 applicant. The commission may not require that an application for a kind or brand of alcoholic li-
42 quor include a commitment to purchase a minimum amount of the alcoholic liquor or require that
43 a purchase be for more than one container of a kind or brand of alcoholic liquor if the alcoholic
44 liquor:

45 (a) Except as provided in subsection (6) of this section, has a retail sales price of \$30 or more

1 per container;

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

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

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

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

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

10 (5)(a) The commission shall adopt rules governing advertising by stores operated by the com-
11 mission. Rules relating to advertising adopted by the commission under this subsection must allow
12 signs and displays within the commission's stores for the purpose of supplying consumer information
13 to customers, including but not limited to discounts, sales and other specials. Commission discretion
14 with respect to the signs and displays described in this subsection is limited to regulation of the
15 content, size, number per brand, type and duration of the sign or display.

16 (b) Signs and displays may be supplied by manufacturers, wholesalers or distributors, and may
17 bear the name of a particular distillery, supplier or brand of liquor. The use of signs and displays
18 is optional with the agent appointed by the commission.

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

24 (7) The commission shall compensate an agent appointed under this section according to the
25 schedule established in ORS 471.753.

26 **(8) An agent appointed under this section shall ensure that an individual who performs**
27 **work for or on behalf of the agent holds a valid retail liquor sales permit issued under section**
28 **2 of this 2025 Act if the individual sells alcohol to consumers for or on behalf of the agent.**

29 **SECTION 13. (1) Section 2 of this 2025 Act and the amendments to ORS 471.230, 471.322,**
30 **471.346, 471.365, 471.370, 471.380, 471.385, 471.542 and 471.750 by sections 3 to 12 of this 2025**
31 **Act become operative on January 1, 2027.**

32 **(2) The Oregon Liquor and Cannabis Commission may take any action before the opera-**
33 **tive date specified in subsection (1) of this section that is necessary to enable the commission**
34 **to exercise, on and after the operative date specified in subsection (1) of this section, all of**
35 **the duties, functions and powers conferred on the commission by section 2 of this 2025 Act**
36 **and the amendments to ORS 471.230, 471.322, 471.346, 471.365, 471.370, 471.380, 471.385, 471.542**
37 **and 471.750 by sections 3 to 12 of this 2025 Act.**

38 **SECTION 14. This 2025 Act takes effect on the 91st day after the date on which the 2025**
39 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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