

A-Engrossed
Senate Bill 992

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

Sponsored by COMMITTEE ON ENERGY AND ENVIRONMENT

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: This Act allows the OLCC to approve a new kind of redemption center and makes other changes to Oregon's Bottle Bill. (Flesch Readability Score: 60.6).

[Digest: This Act requires the OLCC to study ways to modernize Oregon's Bottle Bill. (Flesch Readability Score: 63.4).]

[Requires the Oregon Liquor and Cannabis Commission to study the modernization of the beverage container redemption and recycling law. Directs the commission to submit findings to the interim committees of the Legislative Assembly related to the environment by September 15, 2026.]

Authorizes the Oregon Liquor and Cannabis Commission to approve one or more alternative access redemption centers. Directs the commission to classify two existing convenience zones as a single low-impact convenience zone if certain criteria are met. Directs the commission to review convenience zones every three years.

Provides that beverage container dealers must accept returns of empty beverage containers during specified hours and may refuse to accept returns during all other hours. Provides that wineries may refuse to accept returns of empty beverage containers not sold by the winery. Modifies provisions related to siting of full-service redemption centers. Provides that a dealer that establishes a dealer redemption center within a city with a population of 500,000 or greater may refuse to accept returns of empty beverage containers.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to beverage containers; creating new provisions; amending ORS 459A.700, 459A.715,
3 459A.720, 459A.735, 459A.741 and 459A.863; and declaring an emergency.

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

5 **SECTION 1. Sections 2 to 6 of this 2025 Act are added to and made a part of ORS 459A.700**
6 **to 459A.744.**

7 **SECTION 2. (1) To expand and enhance alternative redemption access opportunities for**
8 **individuals who redeem empty beverage containers on a daily or near daily basis, the Oregon**
9 **Liquor and Cannabis Commission may approve one or more alternative access redemption**
10 **centers at which any person may return empty beverage containers and receive payment of**
11 **the refund value. An alternative access redemption center approved under this section must**
12 **be:**

13 **(a) Established and operated by a nonprofit organization that has entered into an agree-**
14 **ment with a distributor cooperative to be a sponsor of the alternative access redemption**
15 **center; and**

16 **(b) Located within a city having a population greater than 500,000.**

17 **(2) Application for approval of an alternative access redemption center shall be filed with**
18 **the commission. The application shall state the name and address of the nonprofit organ-**
19 **ization responsible for the establishment and operation of the alternative access redemption**

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 center, the name and address of the sponsoring distributor cooperative, the kind of empty
2 beverage containers that will be accepted at the alternative access redemption center, the
3 names and addresses of the dealers to be served by the alternative access redemption center
4 and a proposal for the convenience zone specified by the commission under section 3 of this
5 2025 Act. The application shall include such additional information as the commission may
6 require.

7 (3) The commission shall approve an alternative access redemption center if it finds the
8 redemption center will provide alternative redemption access opportunities for individuals
9 who redeem empty beverage containers on a daily or near daily basis. The order of the
10 commission approving an alternative access redemption center shall state:

11 (a) The location of the convenience zone specified by the commission under section 3 of
12 this 2025 Act;

13 (b) The dealers within the convenience zone to be served by the alternative access re-
14 demption center;

15 (c) The dealers within the convenience zone not to be served by or not participating in
16 the alternative access redemption center;

17 (d) The services to be provided by the alternative access redemption center and the
18 equivalent services required to be provided under section 3 of this 2025 Act by a dealer that
19 does not participate in, and is not served by, the alternative access redemption center;

20 (e) The kind of empty beverage containers that the alternative access redemption center
21 must accept;

22 (f) Whether the alternative access redemption center will be located in an area zoned for
23 commercial or industrial use under state statute or local ordinance or will be located in an
24 area that will provide more convenient service given the proximity of the location to the
25 dealers within the convenience zones to be served by the redemption center; and

26 (g) Such other provisions to ensure that the alternative access redemption center will
27 provide alternative redemption access opportunities for individuals who redeem empty
28 beverage containers on a daily or near daily basis.

29 (4) An alternative access redemption center approved by the commission under this sec-
30 tion is not a recycling depot for purposes of ORS 90.318, 459A.007, 459A.010, 459A.050 or
31 459A.080.

32 (5)(a) No later than five days after approving an alternative access redemption center
33 under subsection (3) of this section, the commission shall provide written notice to each
34 dealer that is identified in the order approving the alternative access redemption center as
35 a dealer within the convenience zone not to be served by or not participating in the alter-
36 native access redemption center.

37 (b) The notice required under this subsection shall include:

38 (A) All information required to be in the order approving the alternative access redemp-
39 tion center under subsection (3) of this section; and

40 (B) Notice of the provisions of section 3 of this 2025 Act that are applicable to the dealer
41 receiving the notice.

42 (6) The commission may review at any time approval of an alternative access redemption
43 center. After written notice to the persons responsible for the establishment and operation
44 of the alternative access redemption center, and to the dealers served by the alternative
45 access redemption center, the commission may, after hearing, withdraw approval of an al-

1 **ternative access redemption center if the commission finds there has not been compliance**
2 **with its order approving the alternative access redemption center, or if the alternative ac-**
3 **cess redemption center no longer provides alternative redemption access opportunities for**
4 **individuals who redeem empty beverage containers on a daily or near daily basis.**

5 **(7) An alternative access redemption center:**

6 **(a) May not refuse to accept and to pay the refund value of up to 350 individual empty**
7 **beverage containers, as established by ORS 459A.705, returned by any one person during one**
8 **day;**

9 **(b) Must provide hand counting of up to 50 individual empty beverage containers returned**
10 **by any one person during one day for the refund value established by ORS 459A.705;**

11 **(c) May provide drop off service for at least 125 individual empty beverage containers**
12 **returned by any one person during one day for the refund value established by ORS 459A.705,**
13 **and may provide an accounting mechanism by which the person may redeem the refund**
14 **value of the beverage containers at a later date; and**

15 **(d) May provide other services as determined necessary by the person that operates the**
16 **alternative access redemption center.**

17 **(8)(a) In addition to the alternative access redemption center approved by the commis-**
18 **sion under subsection (3) of this section, a person that operates an alternative access re-**
19 **demption center, with the support of the sponsoring distributor cooperative, may apply to**
20 **the commission for approval of one or more mobile or satellite redemption sites. The com-**
21 **mission may approve a mobile or satellite redemption site if the commission determines that**
22 **the site will provide convenient alternative redemption access opportunities for individuals**
23 **who redeem empty beverage containers on a daily or near daily basis. A mobile or satellite**
24 **redemption site must:**

25 **(A) Maintain consistent service hours and days at fixed points within the convenience**
26 **zone specified for the mobile or satellite redemption site; and**

27 **(B) Provide the refund value of beverage containers in cash at the time of redemption.**

28 **(b) At the time of approving a mobile or satellite redemption site, the commission may**
29 **specify a convenience zone in the area surrounding a mobile or satellite redemption site as**
30 **provided in section 3 of this 2025 Act.**

31 **(c) Nothing in this subsection prohibits the operator of an alternative access redemption**
32 **center from offering additional redemption services outside of the area of an alternative ac-**
33 **cess convenience zone or a mobile or satellite convenience zone.**

34 **(d) The commission may establish by rule standards for the operation of mobile or sat-**
35 **ellite redemption sites and requirements for dealers located in a convenience zone applicable**
36 **to a mobile or satellite redemption site.**

37 **SECTION 3. (1) The Oregon Liquor and Cannabis Commission shall specify a convenience**
38 **zone for an alternative access redemption center and a convenience zone for a mobile or**
39 **satellite redemption site as provided in this section. The convenience zone specified for:**

40 **(a) An alternative access redemption center shall be a contiguous area, the boundaries**
41 **of which do not exceed three and one-half miles from the location of the alternative access**
42 **redemption center at any point.**

43 **(b) A mobile or satellite redemption site shall be located within an area that extends from**
44 **the outer edge of the convenience zone specified for the alternative access redemption center**
45 **with which the satellite or mobile redemption site is associated to a boundary that is no**

1 more than five miles from the alternative access redemption center at any point.

2 (2) All dealers doing business within a convenience zone specified under this section that
3 occupy a space of 5,000 or more square feet in a single area may participate in, be served
4 by and be charged the cost of participation in the alternative access redemption center and,
5 if such a dealer participates in, is served by and pays the cost of participation in the alter-
6 native access redemption center, the dealer may, notwithstanding any other provision of
7 ORS 459A.700 to 459A.744, refuse to accept and to pay the refund value of empty beverage
8 containers.

9 (3)(a) All dealers doing business within the convenience zone that occupy a space of less
10 than 5,000 square feet in a single area may, notwithstanding any other provision of ORS
11 459A.700 to 459A.744, refuse to accept and to pay the refund value of more than 24 individual
12 empty beverage containers returned by any one person during one day.

13 (b) Notwithstanding ORS 459A.715, the requirement to accept and pay the refund value
14 of beverage containers described in this subsection applies during the hours of 8 a.m. and 6
15 p.m. while the dealer is otherwise open for business.

16 (4)(a) Any dealer, other than a dealer that operates a dealer redemption center, doing
17 business within a convenience zone specified under this section that occupies a space of 5,000
18 or more square feet in a single area that does not participate in, and is not served by, the
19 alternative access redemption center may not refuse to accept and to pay the refund value
20 of up to 350 individual empty beverage containers, as established by ORS 459A.705, returned
21 by any one person during one day and must, beginning on the date that the alternative ac-
22 cess redemption center begins accepting beverage containers, provide services equivalent to
23 those provided by the alternative access redemption center under section 2 of this 2025 Act,
24 including hand counting and drop off service.

25 (b) In addition to complying with the requirements specified in paragraph (a) of this
26 subsection, a dealer described in paragraph (a) of this subsection must:

27 (A) Post in each area where beverage containers are received a clearly visible and legible
28 sign that contains the list of services that must be provided by the dealer; and

29 (B) Provide two automated reverse vending machines capable of processing metal, plastic
30 and glass beverage containers, or one automated reverse vending machine capable of pro-
31 cessing metal, plastic and glass beverage containers for each 500,000 beverage containers sold
32 by the dealer in the previous calendar year, whichever is greater.

33 (c)(A) The provisions of paragraphs (a) and (b) of this subsection do not apply to a dealer
34 described in paragraph (a) of this subsection if the dealer sold fewer than 100,000 beverage
35 containers in the previous calendar year. To be eligible for the exemption under this para-
36 graph, the dealer must report to the commission the number of beverage containers sold by
37 the dealer in the previous calendar year.

38 (B) The report required under this paragraph must be submitted by the dealer:

39 (i) Except as provided in subsection (5) of this section, no later than 60 days after issu-
40 ance of the notice required under section 2 (5) of this 2025 Act; and

41 (ii) No later than January 1 of each calendar year following the year that the notice un-
42 der section 2 (5) of this 2025 Act was issued and for which the dealer intends to claim the
43 exemption.

44 (d) The commission shall ensure compliance with this subsection by a dealer described
45 in paragraph (a) of this subsection that is not subject to an exemption under paragraph (c)

1 of this subsection.

2 (5) A dealer that plans to begin doing business within a convenience zone specified under
3 this section after the date that the alternative access redemption center associated with the
4 convenience zone begins accepting beverage containers shall, not less than 60 days prior to
5 the date that the dealer begins doing business:

6 (a) Provide notice to the commission explaining whether the dealer will or will not partici-
7 pulate in, be served by and pay the cost of participation in the alternative access redemp-
8 tion center; and

9 (b) If the dealer will not participate in the alternative access redemption center and will
10 claim an exemption under subsection (4)(c) of this section, provide documentation of com-
11 pliance with the requirements for nonparticipating dealers under this section and an esti-
12 mate of the number of beverage containers that the dealer expects to sell during the first
13 calendar year that the dealer does business within the convenience zone.

14 **SECTION 4.** (1)(a) The Oregon Liquor and Cannabis Commission shall classify the two
15 existing convenience zones specified under ORS 459A.738 for a full-service redemption center
16 as a single low-impact convenience zone if:

17 (A) In the prior year, the combined volume of beverage container returns to all dealers
18 that occupy a space of 5,000 or more square feet in the second convenience zone specified
19 under ORS 459A.738 (1) is less than three percent of the annual returns to the redemption
20 center; and

21 (B)(i) The redemption center has been in operation for a period of three years; or

22 (ii) The person that operates the redemption center demonstrates to the satisfaction of
23 the commission that the redemption center has been in operation for a sufficient period of
24 time to allow the beverage container return volumes for the redemption center and dealers
25 described in paragraph (a)(A) of this subsection to normalize at a consistent rate.

26 (b) The commission shall classify two existing convenience zones as one low-impact con-
27 venience zone:

28 (A) As a result of the review required under section 5 of this 2025 Act; or

29 (B) Upon the approval of an application for classification submitted by an operator of a
30 full-service redemption center.

31 (2) All dealers doing business within a low-impact convenience zone that occupy a space
32 of 5,000 or more square feet in a single area may participate in, be served by and be charged
33 the cost of participation in the full-service redemption center and, if such a dealer partici-
34 ipates in, is served by and pays the cost of participation in the full-service redemption center,
35 the dealer may, notwithstanding any other provision of ORS 459A.700 to 459A.744, refuse to
36 accept and to pay the refund value of empty beverage containers.

37 (3) All dealers doing business within a low-impact convenience zone that occupy a space
38 of less than 5,000 square feet in a single area may, notwithstanding any other provision of
39 ORS 459A.700 to 459A.744, refuse to accept and to pay the refund value of more than 24 in-
40 dividual empty beverage containers returned by any one person during one day.

41 (4) The requirements of ORS 459A.738 (5) and the exemption provided for in ORS 459A.738
42 (5)(c) shall continue to apply to a dealer described in ORS 459A.738 (5)(a) doing business
43 within a convenience zone that has been classified as a low-impact convenience zone.

44 (5) A dealer that plans to begin doing business within a low-impact convenience zone
45 shall, not less than 60 days prior to the date that the dealer begins doing business:

1 (a) Provide notice to the commission explaining whether the dealer will or will not par-
2 ticipate in, be served by and pay the cost of participation in the full-service redemption
3 center; and

4 (b) If the dealer will not participate in the redemption center and will claim an exemption
5 under ORS 459A.738 (5)(c), provide documentation of compliance with the requirements for
6 nonparticipating dealers under ORS 459A.738 (5)(c) and an estimate of the number of
7 beverage containers that the dealer expects to sell during the first calendar year that the
8 dealer does business within the low-impact convenience zone.

9 **SECTION 5.** (1) No less than once every three years, the Oregon Liquor and Cannabis
10 Commission shall review each convenience zone specified under ORS 459A.738 and each low-
11 impact convenience zone. The review must include consultation with:

12 (a) The distributor cooperative;

13 (b) Participating dealers within the convenience zone; and

14 (c) If the boundary of the convenience zone is less than three and one-half miles from
15 the redemption center, dealers that would be within the convenience zone if the boundary
16 of the convenience zone were extended to three and one-half miles.

17 (2) In conducting the review, the commission shall consider whether:

18 (a) Any convenience zones specified under ORS 459A.738 should be classified as a low-
19 impact convenience zone; and

20 (b) Any convenience zone specified under ORS 459A.738 should have its boundary ex-
21 panded.

22 **SECTION 6.** No later than January 1, 2026, the Oregon Liquor and Cannabis Commission,
23 in consultation with the distributor cooperative and an association representing retail
24 grocers, shall review each convenience zone and classify as a low-impact convenience zone
25 any convenience zone that meets the criteria specified in section 4 of this 2025 Act.

26 **SECTION 7.** ORS 459A.700 is amended to read:

27 459A.700. As used in ORS [459.992 (3) and (4) and] 459A.700 to 459A.744, unless the context re-
28 quires otherwise:

29 (1) **“Alternative access redemption center”** means a redemption center that meets the
30 requirements of section 2 of this 2025 Act.

31 [(1)] (2) **“Beverage”** means a fluid described in ORS 459A.702.

32 [(2)] (3) **“Beverage container”** means a container described in ORS 459A.702.

33 [(3)] (4) **“Commission”** means the Oregon Liquor and Cannabis Commission.

34 [(4)] (5) **“Consumer”** means every person who purchases a beverage in a beverage container for
35 use or consumption.

36 [(5)] (6) **“Dealer”** means every person in this state who engages in the sale of beverages in
37 beverage containers to a consumer, or means a full-service redemption center approved under ORS
38 459A.735.

39 [(6)] (7) **“Dealer redemption center”** means a location that meets the requirements of ORS
40 459A.741, at which any person may return empty beverage containers **in bulk** and [receive payment
41 of] **access** the refund value of the beverage containers **through an accounting mechanism that**
42 **is accessible on the premises and that makes the refund value available no later than one**
43 **week after the person drops off the beverage containers.**

44 [(7)] (8) **“Distributor”** means every person who engages in the sale of beverages in beverage
45 containers to a dealer in this state including any manufacturer who engages in such sales.

1 [(8)] (9) “Full-service redemption center” means a location that meets the requirements of ORS
2 459A.737, at which any person may return empty beverage containers and receive payment of the
3 refund value of the beverage containers.

4 [(9)] (10) “Hard seltzer” means any sugar-based alcoholic beverage that contains carbonated
5 water or any malt-based alcoholic beverage that contains carbonated water and is not a malt
6 beverage, as defined in ORS 471.001.

7 [(10)] (11) “Importer” means any dealer or manufacturer who directly imports beverage con-
8 tainers into this state.

9 [(11)] (12) “In this state” means within the exterior limits of the State of Oregon and includes
10 all territory within these limits owned by or ceded to the United States of America.

11 [(12)] (13) “Kombucha” means a fermented beverage that is made from tea and contains not
12 more than 21 percent of alcohol by volume.

13 **(14) “Low-impact convenience zone” means a convenience zone specified under section 4**
14 **of this 2025 Act.**

15 [(13)] (15) “Manufacturer” means every person bottling, canning or otherwise filling beverage
16 containers for sale to distributors, importers or dealers.

17 [(14)] (16) “Place of business of a dealer” means the location at which a dealer sells or offers
18 for sale beverages in beverage containers to consumers.

19 [(15)] (17) “Redemption center” means a full-service redemption center, [or] a dealer redemption
20 center **or an alternative access redemption center.**

21 [(16)] (18) “Use or consumption” includes the exercise of any right or power over a beverage
22 incident to the ownership thereof, other than the sale or the keeping or retention of a beverage for
23 the purposes of sale.

24 [(17)] (19) “Water and flavored water” means any beverage identified through the use of letters,
25 words or symbols on its product label as a type of water.

26 [(18)] (20) “Wine” has the meaning given that term in ORS 471.001, except that “wine” does not
27 mean hard seltzer or kombucha.

28 **SECTION 8.** ORS 459A.715 is amended to read:

29 459A.715. (1) A dealer may refuse to accept from any person, and a distributor or importer may
30 refuse to accept from a dealer, any empty beverage container that does not state thereon a refund
31 value as established by ORS 459A.705.

32 (2) A dealer may refuse to accept and to pay the refund value of:

33 (a) Empty beverage containers if the place of business of the dealer and the kind of empty
34 beverage containers are included in an order of the Oregon Liquor and Cannabis Commission ap-
35 proving a full-service redemption center under ORS 459A.735.

36 **(b) Empty beverage containers, if the dealer occupies a space of more than 5,000 square**
37 **feet and the dealer participates in, is served by and pays the cost of participation in:**

38 **(A) A full-service redemption center, if the dealer’s place of business is located in a**
39 **low-impact convenience zone; or**

40 **(B) An alternative access redemption center.**

41 **(c) Empty beverage containers at a location where the dealer has established a dealer**
42 **redemption center within the limits of a city with a population of 500,000 or greater.**

43 [(b)] (d) Any beverage container visibly containing or contaminated by a substance other than
44 water, residue of the original contents or ordinary dust.

45 [(c)(A)] (e)(A) More than 144 individual beverage containers returned by any one person during

1 one day, if the dealer occupies a space of 5,000 or more square feet in a single area.

2 (B) More than 50 individual beverage containers returned by any one person during one day, if
3 the dealer occupies a space of less than 5,000 square feet in a single area.

4 [(d)] (f) Any beverage container that is damaged to the extent that the brand appearing on the
5 container cannot be identified.

6 (3) The commission shall develop and provide to dealers notices that describe the reasons a
7 dealer may refuse to accept and to pay the refund value for empty beverage containers under sub-
8 section (2) of this section. The notices may contain additional information as determined by the
9 commission.

10 (4) A dealer must post in each area where beverage containers are received a notice provided
11 to the dealer under subsection (3) of this section.

12 **(5) A dealer required to accept and pay the refund value of beverage containers under the**
13 **provisions of ORS 459A.700 to 459A.744 must accept and pay the refund value of beverage**
14 **containers during the hours of 8 a.m. to 8 p.m. while the dealer is otherwise open for busi-**
15 **ness. A dealer may refuse to accept the return of beverage containers during all other hours.**

16 **(6) A dealer that holds a winery license under ORS 471.223 may, at the premises of the**
17 **winery, refuse to accept and to pay the refund value of any empty beverage container that**
18 **is of a kind, size and brand that the dealer does not sell at the winery.**

19 **SECTION 9.** ORS 459A.735 is amended to read:

20 459A.735. (1) To facilitate the return of empty beverage containers and to serve dealers of
21 beverages, any person may establish a full-service redemption center, subject to the approval of the
22 Oregon Liquor and Cannabis Commission, at which any person may return empty beverage con-
23 tainers and receive payment of the refund value of such beverage containers.

24 (2) Application for approval of a full-service redemption center shall be filed with the commis-
25 sion. The application shall state the name and address of the person responsible for the establish-
26 ment and operation of the full-service redemption center, the kind of beverage containers that will
27 be accepted at the full-service redemption center, the names and addresses of the dealers to be
28 served by the full-service redemption center and proposals for up to two convenience zones de-
29 scribed in ORS 459A.738. The application shall include such additional information as the commis-
30 sion may require.

31 (3) The commission shall approve a full-service redemption center if it finds the redemption
32 center will provide a convenient service to persons for the return of empty beverage containers.
33 The order of the commission approving a full-service redemption center shall state:

34 (a) The location of the convenience zones specified by the commission under ORS 459A.738 (1);

35 (b) The dealers within the convenience zones to be served by the full-service redemption center;

36 (c) The dealers within the convenience zones not to be served by or not participating in the
37 full-service redemption center;

38 (d) The services to be provided by the redemption center and the equivalent services required
39 to be provided under ORS 459A.738 (5) by a dealer that does not participate in, and is not served
40 by, the full-service redemption center;

41 (e) The kind of empty beverage containers that the full-service redemption center must accept;

42 (f) Whether the full-service redemption center will be located in an area zoned for commercial
43 **or industrial** use under state statute or local ordinance or will be located in an area that will
44 provide more convenient service given the proximity of the location to the dealers within the con-
45 venience zones to be served by the full-service redemption center; [and]

1 **(g) That the applicant has notified the state Senator and state Representative in whose**
2 **districts the full-service redemption center will be located of the proposed full-service re-**
3 **demption center and the applicant's plan for community engagement; and**

4 [(g)] **(h)** Such other provisions to ensure that the full-service redemption center will provide a
5 convenient service to the public as the commission may determine.

6 (4) A full-service redemption center approved by the commission under this section is not a re-
7 cycling depot for purposes of ORS 90.318, 459A.007, 459A.010, 459A.050 or 459A.080.

8 (5)(a) No later than five days after approving a full-service redemption center under subsection
9 (3) of this section, the commission shall provide written notice to each dealer that is identified in
10 the order approving the full-service redemption center as a dealer within the convenience zones not
11 to be served by or not participating in the full-service redemption center.

12 (b) The notice required under this subsection shall include:

13 (A) All information required to be in the order approving the full-service redemption center
14 under subsection (3) of this section; and

15 (B) Notice of the provisions of ORS 459A.738 that are applicable to the dealer receiving the
16 notice.

17 (6) The commission may review at any time approval of a full-service redemption center. After
18 written notice to the person responsible for the establishment and operation of the full-service re-
19 demption center, and to the dealers served by the full-service redemption center, the commission
20 may, after hearing, withdraw approval of a full-service redemption center if the commission finds
21 there has not been compliance with its order approving the full-service redemption center, or if the
22 full-service redemption center no longer provides a convenient service to the public.

23 **(7) The commission shall provide the opportunity for public comment before concluding**
24 **under subsection (3) or (6) of this section that a full-service redemption center provides a**
25 **convenient service to the public for the redemption of beverage containers. The commission**
26 **may consider public comment when determining whether a full-service redemption center**
27 **provides a convenient service to consumers for the return of empty beverage containers.**

28 **SECTION 10.** ORS 459A.741 is amended to read:

29 459A.741. (1) Any person may establish a dealer redemption center, **as provided in this section,**
30 to serve *[one or more dealers]* **a dealer.** *[doing business in an area that is not part of a convenience*
31 *zone specified by the Oregon Liquor and Cannabis Commission under ORS 459A.738.]*

32 (2) Notwithstanding any other provision of ORS 459A.700 to 459A.744, a dealer redemption cen-
33 ter must:

34 (a) Provide secure drop off service at no charge for empty beverage containers to be returned
35 by any person for the refund value established by ORS 459A.705 in a bag or other bulk return con-
36 tainer sold for that purpose;

37 (b) Provide an accounting mechanism by which a person may redeem the refund value of
38 beverage containers returned in bulk *[either immediately in cash from a dealer participating in the*
39 *dealer redemption center or no later than one week after the beverage containers are dropped off]* **and**
40 **access the refund value of the beverage containers through an accounting mechanism that**
41 **is accessible on the premises and that makes the refund value available no later than one**
42 **week after the person drops off the beverage containers;**

43 (c) Be serviced by a distributor cooperative for purposes of transporting and processing re-
44 deemed beverage containers;

45 (d) Be available for persons to return beverage containers to the dealer redemption center dur-

1 ing any time that a participating dealer is open between the hours of 8 a.m. and 8 p.m.; and

2 (e) Be of a sufficient capacity to provide convenient service to the public as the commission may
3 determine.

4 (3) A dealer redemption center may provide services other than those specified in subsection (2)
5 of this section as determined necessary by the person responsible for operation of the dealer re-
6 demption center.

7 (4) A distributor cooperative that services dealer redemption centers shall:

8 (a) Provide notice to the **Oregon Liquor and Cannabis** Commission no later than 14 days after
9 the date that a dealer redemption center:

10 (A) Begins providing drop off service to persons for the return of empty beverage containers;
11 or

12 (B) Ceases operations; and

13 (b) Annually provide to the commission the names and addresses of the dealers served by all
14 dealer redemption centers serviced by the distributor cooperative, and such additional information
15 as the commission may require.

16 (5)(a) A dealer that participates in, is served by and pays the cost of participation in a dealer
17 redemption center may, notwithstanding any other provision of ORS 459A.700 to 459A.744, refuse to
18 accept and to pay the refund value of more than 24 individual empty beverage containers returned
19 by any one person during one day.

20 (b) If a dealer redemption center is established in a city having a population of less than 10,000
21 people, the Oregon Liquor and Cannabis Commission shall specify a dealer redemption center con-
22 venience zone. The dealer redemption center convenience zone shall be the sector within a radius
23 of not more than one mile around the dealer redemption center. Any dealer doing business within
24 a dealer redemption center convenience zone may participate in, be served by and pay the cost of
25 participation in the dealer redemption center and receive the benefit provided for in paragraph (a)
26 of this subsection.

27 **(c) Notwithstanding paragraph (a) of this subsection, a dealer that establishes a dealer**
28 **redemption center at the dealer's location within the limits of a city with a population**
29 **greater than 500,000 may refuse to accept and to pay the refund value of empty beverage**
30 **containers at that location.**

31 **SECTION 11.** ORS 459A.720 is amended to read:

32 459A.720. (1) Every beverage container sold or offered for sale in this state by a dealer shall
33 clearly indicate by embossing or by a stamp, or by a label or other method securely affixed to the
34 beverage container, the refund value of the container.

35 (2) Subsection (1) of this section shall not apply to glass beverage containers designed for
36 beverages having a brand name permanently marked thereon which, on October 1, 1972, had a re-
37 fund value of not less than five cents.

38 (3) No person shall sell or offer for sale at retail in this state any metal beverage container so
39 designed and constructed that a part of the container is detachable in opening the container without
40 the aid of a can opener.

41 (4) On or after March 1, 1979, no person shall sell or offer for sale at retail in this state, in
42 addition to beverages as defined in ORS 459A.700 [(1)], any beverage in liquid form intended for
43 human consumption in any beverage container so designed and constructed that a metal part of the
44 container is detachable in opening the container through use of a metal ring or tab without the aid
45 of a can opener. However, nothing in this subsection shall prohibit the sale of a container the only

1 detachable part of which is a piece of pressure sensitive tape.

2 (5) No person shall sell or offer for sale at retail in this state metal beverage containers con-
3 nected to each other by a separate holding device constructed of plastic rings or other material
4 which will not decompose by photobiodegradation, chemical degradation, or biodegradation within
5 120 days of disposal.

6 **SECTION 12.** ORS 459A.863 is amended to read:

7 459A.863. As used in ORS 459A.860 to 459A.975:

8 (1) "Brand" means any mark, word, name, symbol, design, device or graphical element, or a
9 combination thereof, including a registered or unregistered trademark, that identifies a product and
10 distinguishes the product from other products.

11 (2) "Commingled recycling" means the recycling or recovery of two or more materials that are
12 mixed together and that generally would be separated into individual materials at a commingled
13 recycling processing facility in order to be marketed.

14 (3)(a) "Commingled recycling processing facility" means a facility that:

15 (A) Receives source separated commingled recyclable materials that are collected commingled
16 from a collection program providing the opportunity to recycle; and

17 (B) Separates the recyclable materials described in subparagraph (A) of this paragraph into
18 marketable commodities or streams of materials that are intended for use or further processing by
19 others.

20 (b) "Commingled recycling processing facility" does not include:

21 (A) Scrap metal recycling facilities;

22 (B) Scrap automotive or appliance recycling facilities;

23 (C) Full-service redemption centers, [or] dealer redemption centers **or alternative access re-**
24 **demption centers**, as those terms are defined in ORS 459A.700, and recycling facilities owned and
25 operated by a distributor cooperative established under ORS 459A.718;

26 (D) Recycling facilities handling covered electronic devices, as defined in ORS 459A.305;

27 (E) Recycling processing facilities that process only noncommingled, source separated recyclable
28 material from commercial entities;

29 (F) Recycling processing facilities that recover commingled recyclable material primarily from
30 the construction and demolition debris waste stream;

31 (G) Recycling depots;

32 (H) Recycling reload facilities; or

33 (I) Limited sort facilities, as defined by rule by the Environmental Quality Commission.

34 (4) "Contaminant" means:

35 (a) A material set out for recycling collection that is not properly prepared and on the list of
36 materials accepted for recycling collection by a recycling collection program; or

37 (b) A material shipped to a recycling end market that is not accepted or desired by that end
38 market.

39 (5) "Contamination" means the presence of one or more contaminants in a recycling collection
40 or commodity stream in an amount or concentration that negatively impacts the value of the mate-
41 rial or negatively impacts a processor's ability to sort that material.

42 (6)(a) "Covered product" means:

43 (A) Packaging;

44 (B) Printing and writing paper; and

45 (C) Food serviceware.

- 1 (b) "Covered product" does not include:
- 2 (A) A beverage container, as defined in ORS 459A.700.
- 3 (B) Bound books.
- 4 (C) Napkins, paper towels or other paper intended to be used for cleaning or the absorption of
- 5 liquids.
- 6 (D) Rigid pallets used as the structural foundation for transporting goods lifted by a forklift,
- 7 pallet jack or similar device.
- 8 (E) Specialty packaging items that are used exclusively in industrial or manufacturing processes,
- 9 including but not limited to:
- 10 (i) Cores and wraps for rolls of packaging sold by a mill to a packaging converter or food
- 11 processor; and
- 12 (ii) Trays, whether designed for a single use or multiple uses, used for the transport of compo-
- 13 nent parts from a parts supplier to a manufacturer that assembles those parts.
- 14 (F) Liquefied petroleum gas containers that are designed to be refilled.
- 15 (G) A material that the producer demonstrates is exempt under ORS 459A.869.
- 16 (H) Pallet wrap or similar packaging used to secure a palletized load if added by a person that
- 17 is not the producer of the palletized covered products.
- 18 (I) Packaging related to containers for architectural paint, as defined in ORS 459A.822, that has
- 19 been collected by a producer responsibility organization under the program established under ORS
- 20 459A.820 to 459A.855.
- 21 (J) Any item that is not ultimately discarded inside this state, whether for purposes of recovery
- 22 or disposal.
- 23 (K) Items sold on a farm or used on a farm, including items used for farm use, as defined in ORS
- 24 215.203, or for processing on a farm, provided that an item used on a farm is not subsequently sold
- 25 at a retail establishment that is not located on a farm.
- 26 (L) Items used by a nursery licensed under ORS 571.055 that generates the majority of the
- 27 nursery's revenue through the sale of nursery stock, as defined in ORS 571.005, provided that the
- 28 items are not sold through retail sales.
- 29 (M) Packaging and paper products sold or supplied in connection with:
- 30 (i) Prescription drugs as defined in ORS 689.005;
- 31 (ii) Nonprescription drugs as defined in ORS 689.005;
- 32 (iii) Drugs marketed under a brand name as defined in ORS 689.515; or
- 33 (iv) Drugs marketed under a generic name as defined in ORS 689.515.
- 34 (N) Packaging and paper products sold or supplied in connection with drugs that are used for
- 35 animal medicines, including but not limited to parasiticide drugs for animals.
- 36 (O) Packaging and paper products sold or supplied in connection with:
- 37 (i) Infant formula as defined in 21 U.S.C. 321(z);
- 38 (ii) Medical food as defined in 21 U.S.C. 360ee(b)(3); or
- 39 (iii) Fortified oral nutritional supplements used for individuals who require supplemental or sole
- 40 source nutrition to meet nutritional needs due to special dietary needs directly related to cancer,
- 41 chronic kidney disease, diabetes, malnutrition, or failure to thrive, as those terms are defined as by
- 42 the International Classification of Diseases, Tenth Revision, or other medical conditions as deter-
- 43 mined by the commission.
- 44 (P) Wine and spirit containers for which a refund value is established under Oregon law.
- 45 (Q) Packaging for products:

1 (i) That are required under 40 C.F.R. 156.140, or other federal regulation pertaining to toxic or
2 hazardous materials, to state on the label or container that the packaging should not be recycled
3 or should be disposed of in a manner other than recycling; or

4 (ii) Identified by the commission by rule as product that is required by law to state on the label
5 or container that the packaging should not be recycled or should be disposed of in a manner other
6 than recycling.

7 (R) Any other material, as determined by the commission by rule, after consultation with the
8 Oregon Recycling System Advisory Council.

9 (7) "Food serveware" means paper or plastic plates, wraps, cups, bowls, pizza boxes, cutlery,
10 straws, lids, bags, aluminum foil or clamshells or similar containers:

11 (a) That are generally intended for single use; and

12 (b) That are sold to a retailer or a dine-in food establishment or a take-out food establishment,
13 regardless of whether the item is used to prepackage food for resale, is filled on site for food ordered
14 by a customer or is resold as is.

15 (8) "Large producer" means a producer that is among the 25 largest producers of covered pro-
16 ducts based on market share.

17 (9) "Licensee" means a person that is licensed by a brand and manufactures a covered product
18 or a packaged item under that brand.

19 (10) "Litter" means waste that is improperly placed so as to be a nuisance or aesthetic, health
20 or environmental concern.

21 (11) "Local government" means:

22 (a) A city;

23 (b) A county; or

24 (c) A metropolitan service district.

25 (12) "Local government's service provider" means:

26 (a) A collection service franchise holder under ORS 459A.085;

27 (b) Any person authorized by a city or county to provide recycling collection services described
28 in subsection (25)(a) to (d) of this section; or

29 (c) Any person authorized by a metropolitan service district to provide recycling collection
30 services described in subsection (25)(d) of this section.

31 (13) "Market share" means a producer's percentage of all covered products sold in or into this
32 state during a specified time period, as calculated in accordance with methods established by the
33 commission by rule.

34 (14) "Mechanical recycling" means a form of recycling that does not change the basic molecular
35 structure of the material being recycled.

36 (15) "Metropolitan service district" means a metropolitan service district established under ORS
37 chapter 268.

38 (16) "Nonprofit organization" means an organization or group of organizations described in
39 section 501(c)(3) of the Internal Revenue Code that is exempt from income tax under section 501(a)
40 of the Internal Revenue Code.

41 (17) "Opportunity to recycle" has the meaning given that term in ORS 459A.005.

42 (18)(a) "Packaging" means:

43 (A) Materials used for the containment or protection of products, including but not limited to
44 paper, plastic, glass or metal or a mixture thereof;

45 (B) Single-use bags, including but not limited to shopping bags; and

1 (C) Nondurable materials used in storage, shipping or moving, including but not limited to
2 packing materials, moving boxes, file boxes and folders.

3 (b) "Packaging" does not include:

4 (A) Food serviceware; or

5 (B) Sharps, as defined in ORS 459.386.

6 (19) "Person" has the meaning given that term in ORS 459.005.

7 (20) "Printing and writing paper" includes, but is not limited to, newspaper, magazines, flyers,
8 brochures, booklets, catalogs, telephone directories and paper used for copying, writing or other
9 general use.

10 (21) "Processor" means a person that owns or operates a commingled recycling processing fa-
11 cility.

12 (22) "Producer" means a person that is determined to be the producer of a covered product un-
13 der ORS 459A.866.

14 (23) "Producer responsibility organization" means a nonprofit organization established by a
15 producer or group of producers to administer a producer responsibility program.

16 (24) "Producer responsibility program" means a statewide program for the responsible manage-
17 ment of covered products that is administered by a producer responsibility organization pursuant to
18 a plan approved by the Department of Environmental Quality under ORS 459A.878.

19 (25) "Recycling collection" means the act or process of gathering recyclable materials by:

20 (a) On-route residential collection from the generator at the place of generation;

21 (b) On-site nonresidential collection from the generator at the place of generation;

22 (c) Multifamily on-route residential collection from each multifamily dwelling that has five or
23 more units;

24 (d) Recycling depots at a disposal site or another designated location that is more convenient
25 to the population being served and expanded depots as described in ORS 459A.007; or

26 (e) Other collection methods included in an approved producer responsibility program plan.

27 (26) "Recycling depot" means a location where recyclable materials are accepted from the public
28 or commercial businesses and transported to a location for processing or to an end market.

29 (27) "Recycling reload facility" means a facility other than a recycling depot where recyclable
30 materials are received, consolidated and made ready for transport to another location for processing
31 or to a responsible end market.

32 (28) "Recycling system" means all aspects of the programs and participants that have a role in
33 Oregon's statewide recycling structure, including producers of products sold in or into Oregon,
34 generators of recyclable materials, governments that regulate materials management programs,
35 businesses that collect and process recyclable materials and persons that receive recyclable mate-
36 rials to convert to new feedstock or products.

37 (29) "Responsible end market" means a materials market in which the recycling or recovery of
38 materials or the disposal of contaminants is conducted in a way that benefits the environment and
39 minimizes risks to public health and worker health and safety.

40 (30) "Responsible management" means the handling, tracking and disposition of covered pro-
41 ducts from the point of collection through the final destination of the collected material in a way
42 that benefits the environment and minimizes risks to public health and worker health and safety.

43 (31) "Responsible recycling" means the handling of covered products for recycling and removal
44 of contaminants by a certified or permitted processor and disposition to a responsible end market.

45 (32) "Small producer" means a producer that:

1 (a) Is a nonprofit organization;

2 (b) Is a public body, as defined in ORS 174.109;

3 (c) Has a gross revenue of less than \$5 million for the organization's most recent fiscal year;

4 (d) Sold in or into Oregon less than one metric ton of covered products for use in this state in
5 the most recent calendar year;

6 (e) Is a manufacturer of a beverage sold in a beverage container, as those terms are defined in
7 ORS 459A.700, that sold in or into Oregon less than five metric tons of covered products, including
8 but not limited to secondary and tertiary packaging for beverage containers, for use in this state in
9 the most recent calendar year;

10 (f)(A) Is a restaurant, food cart or similar business establishment that primarily sells to members
11 of the public food that is generally intended to be consumed immediately and without the need for
12 further preparation, either on or off the premises; and

13 (B) Is not a producer of food serviceware as described in ORS 459A.866; or

14 (g) Operates a single retail sales establishment, has no online sales and is not supplied or op-
15 erated as part of a franchise or a chain.

16 (33) "Specifically identified material" means a material or covered product identified by the de-
17 partment under ORS 459A.917.

18 (34) "Uniform statewide collection list" means the list of materials established in accordance
19 with the requirements of ORS 459A.914 (4).

20 **SECTION 13. (1) Sections 2 and 3 of this 2025 Act and the amendments to ORS 459A.735**
21 **by section 9 of this 2025 Act become operative on October 1, 2025.**

22 **(2) The Oregon Liquor and Cannabis Commission may take any action before the opera-**
23 **tive date specified in subsection (1) of this section necessary to enable the commission to**
24 **exercise, on and after the operative date specified in subsection (1) of this section, all of the**
25 **duties, functions and powers conferred on the commission by sections 2 and 3 of this 2025**
26 **Act and the amendments to ORS 459A.735 by section 9 of this 2025 Act.**

27 **SECTION 14. The amendments to ORS 459A.735 by section 9 of this 2025 Act apply to**
28 **applications for approval of a full-service redemption center filed with the Oregon Liquor and**
29 **Cannabis Commission on or after the operative date specified in section 13 (1) of this 2025**
30 **Act.**

31 **SECTION 15. Notwithstanding section 2 (8) of this 2025 Act, the Oregon Liquor and**
32 **Cannabis Commission may not accept an application to operate a mobile or satellite re-**
33 **demption site before January 1, 2026.**

34 **SECTION 16. This 2025 Act being necessary for the immediate preservation of the public**
35 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
36 **on its passage.**

37
