

SB 992-1
(LC 1032)
2/14/25 (STN/ps)

Requested by SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

**PROPOSED AMENDMENTS TO
SENATE BILL 992**

1 In line 2 of the printed bill, before the period insert “; creating new pro-
2 visions; amending ORS 459A.700, 459A.715, 459A.720, 459A.735, 459A.741 and
3 459A.863; and declaring an emergency”.

4 Delete lines 4 through 9 and insert:

5 **“SECTION 1. Sections 2 to 7 of this 2025 Act are added to and made**
6 **a part of ORS 459A.700 to 459A.744.**

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

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

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

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

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

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

14 “(a) The location of the convenience zone specified by the commis-
15 sion under section 3 of this 2025 Act;

16 “(b) The dealers within the convenience zone to be served by the
17 alternative access redemption center;

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

20 “(d) The services to be provided by the alternative access redemp-
21 tion center and the equivalent services required to be provided under
22 section 3 of this 2025 Act by a dealer that does not participate in, and
23 is not served by, the alternative access redemption center;

24 “(e) The kind of empty beverage containers that the alternative
25 access redemption center must accept;

26 “(f) Whether the alternative access redemption center will be lo-
27 cated in an area zoned for commercial or industrial use under state
28 statute or local ordinance or will be located in an area that will pro-
29 vide more convenient service given the proximity of the location to the
30 dealers within the convenience zones to be served by the redemption

1 center; and

2 “(g) Such other provisions to ensure that the alternative access
3 redemption center will provide alternative redemption access oppor-
4 tunities for individuals who redeem empty beverage containers on a
5 daily or near daily basis.

6 “(4) An alternative access redemption center approved by the com-
7 mission under this section is not a recycling depot for purposes of ORS
8 90.318, 459A.007, 459A.010, 459A.050 or 459A.080.

9 “(5)(a) No later than five days after approving an alternative access
10 redemption center under subsection (3) of this section, the commission
11 shall provide written notice to each dealer that is identified in the
12 order approving the alternative access redemption center as a dealer
13 within the convenience zone not to be served by or not participating
14 in the alternative access redemption center.

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

16 “(A) All information required to be in the order approving the al-
17 ternative access redemption center under subsection (3) of this sec-
18 tion; and

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

21 “(6) The commission may review at any time approval of an alter-
22 native access redemption center. After written notice to the persons
23 responsible for the establishment and operation of the alternative ac-
24 cess redemption center, and to the dealers served by the alternative
25 access redemption center, the commission may, after hearing, with-
26 draw approval of an alternative access redemption center if the com-
27 mission finds there has not been compliance with its order approving
28 the alternative access redemption center, or if the alternative access
29 redemption center no longer provides alternative redemption access
30 opportunities for individuals who redeem empty beverage containers

1 on a daily or near daily basis.

2 **“(7) An alternative access redemption center:**

3 **“(a) May not refuse to accept and to pay the refund value of up to**
4 **350 individual empty beverage containers, as established by ORS**
5 **459A.705, returned by any one person during one day;**

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

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

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

16 **“(8)(a) In addition to the alternative access redemption center ap-**
17 **proved by the commission under subsection (3) of this section, a per-**
18 **son that operates an alternative access redemption center may apply**
19 **to the commission for approval of one or more mobile or satellite re-**
20 **demption sites. The commission may approve a mobile or satellite re-**
21 **demption site if the commission determines that the site will provide**
22 **convenient alternative redemption access opportunities for individuals**
23 **who redeem empty beverage containers on a daily or near daily basis.**

24 **A mobile or satellite redemption site must:**

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

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

30 **“(b) At the time of approving a mobile or satellite redemption site,**

1 the commission may specify a convenience zone in the area sur-
2 rounding a mobile or satellite redemption site as provided in section
3 3 of this 2025 Act.

4 “(c) Nothing in this subsection prohibits the operator of an alter-
5 native access redemption center from offering additional redemption
6 services outside of the area of an alternative access convenience zone
7 or a mobile or satellite convenience zone.

8 “(d) The commission may establish by rule standards for the oper-
9 ation of mobile or satellite redemption sites and requirements for
10 dealers located in a convenience zone applicable to a mobile or satellite
11 redemption site.

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

16 “(a) An alternative access redemption center shall be a contiguous
17 area, the boundaries of which do not exceed three and one-half miles
18 from the location of the alternative access redemption center at any
19 point.

20 “(b) A mobile or satellite redemption site shall be located within
21 an area that extends from the outer edge of the convenience zone
22 specified for the alternative access redemption center with which the
23 satellite or mobile redemption site is associated to a boundary that is
24 no more than five miles from the alternative access redemption center
25 at any point.

26 “(2) All dealers doing business within a convenience zone specified
27 under this section that occupy a space of 5,000 or more square feet in
28 a single area may participate in, be served by and be charged the cost
29 of participation in the alternative access redemption center and, if
30 such a dealer participates in, is served by and pays the cost of partic-

1 ipation in the alternative access redemption center, the dealer may,
2 notwithstanding any other provision of ORS 459A.700 to 459A.744, re-
3 fuse to accept and to pay the refund value of empty beverage con-
4 tainers.

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

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

22 “(b) In addition to complying with the requirements specified in
23 paragraph (a) of this subsection, a dealer described in paragraph (a)
24 of this subsection must:

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

28 “(B) Provide two automated reverse vending machines capable of
29 processing metal, plastic and glass beverage containers, or one auto-
30 mated reverse vending machine capable of processing metal, plastic

1 and glass beverage containers for each 500,000 beverage containers sold
2 by the dealer in the previous calendar year, whichever is greater.

3 “(c)(A) The provisions of paragraphs (a) and (b) of this subsection
4 do not apply to a dealer described in paragraph (a) of this subsection
5 if the dealer sold fewer than 100,000 beverage containers in the previ-
6 ous calendar year. To be eligible for the exemption under this para-
7 graph, the dealer must report to the commission the number of
8 beverage containers sold by the dealer in the previous calendar year.

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

11 “(i) Except as provided in subsection (5) of this section, no later
12 than 60 days after issuance of the notice required under section 2 (5)
13 of this 2025 Act; and

14 “(ii) No later than January 1 of each calendar year following the
15 year that the notice under section 2 (5) of this 2025 Act was issued and
16 for which the dealer intends to claim the exemption.

17 “(d) The commission shall ensure compliance with this subsection
18 by a dealer described in paragraph (a) of this subsection that is not
19 subject to an exemption under paragraph (c) of this subsection.

20 “(5) A dealer that plans to begin doing business within a conven-
21 ience zone specified under this section after the date that the alter-
22 native access redemption center associated with the convenience zone
23 begins accepting beverage containers shall, not less than 60 days prior
24 to the date that the dealer begins doing business:

25 “(a) Provide notice to the commission explaining whether the dealer
26 will or will not participate in, be served by and pay the cost of par-
27 ticipation in the alternative access redemption center; and

28 “(b) If the dealer will not participate in the alternative access re-
29 demption center and will claim an exemption under subsection (4)(c)
30 of this section, provide documentation of compliance with the re-

1 requirements for nonparticipating dealers under this section and an es-
2 timate of the number of beverage containers that the dealer expects
3 to sell during the first calendar year that the dealer does business
4 within the convenience zone.

5 **“SECTION 4. (1)(a) The Oregon Liquor and Cannabis Commission**
6 **shall classify the two existing convenience zones specified under ORS**
7 **459A.738 for a full-service redemption center as a single low-impact**
8 **convenience zone if:**

9 **“(A) In the prior year, the combined volume of beverage container**
10 **returns to all dealers that occupy a space of 5,000 or more square feet**
11 **in the second convenience zone, specified under ORS 459A.738 (1), is**
12 **less than three percent of the annual returns to the redemption cen-**
13 **ter; and**

14 **“(B)(i) The redemption center has been in operation for a period of**
15 **three years; or**

16 **“(ii) The person that operates the redemption center demonstrates**
17 **to the satisfaction of the commission that the redemption center has**
18 **been in operation for a sufficient period of time to allow the beverage**
19 **container return volumes for the redemption center and dealers de-**
20 **scribed in paragraph (a)(A) of this subsection to normalize at a con-**
21 **sistent rate.**

22 **“(b) The commission shall classify two existing convenience zones**
23 **as one low-impact convenience zone:**

24 **“(A) As a result of the review required under section 5 of this 2025**
25 **Act; or**

26 **“(B) After the operator of a full-service redemption center applies**
27 **for classification under paragraph (a)(B)(ii) of this subsection.**

28 **“(2) All dealers doing business within a low-impact convenience**
29 **zone that occupy a space of 5,000 or more square feet in a single area**
30 **may participate in, be served by and be charged the cost of partic-**

1 ipation in the full-service redemption center and, if such a dealer
2 participates in, is served by and pays the cost of participation in the
3 full-service redemption center, the dealer may, notwithstanding any
4 other provision of ORS 459A.700 to 459A.744, refuse to accept and to
5 pay the refund value of empty beverage containers.

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

11 “(4) The requirements of ORS 459A.738 (5) and the exemption pro-
12 vided for in ORS 459A.738 (5)(c) shall continue to apply to a dealer de-
13 scribed in ORS 459A.738 (5)(a) doing business within a convenience
14 zone that has been classified as a low-impact convenience zone.

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

18 “(a) Provide notice to the commission explaining whether the dealer
19 will or will not participate in, be served by and pay the cost of par-
20 ticipation in the full-service redemption center; and

21 “(b) If the dealer will not participate in the redemption center and
22 will claim an exemption under ORS 459A.738 (5)(c), provide documen-
23 tation of compliance with the requirements for nonparticipating deal-
24 ers under ORS 459A.738 (5)(c) and an estimate of the number of
25 beverage containers that the dealer expects to sell during the first
26 calendar year that the dealer does business within the low-impact
27 convenience zone.

28 “SECTION 5. (1) No less than once every three years, the Oregon
29 Liquor and Cannabis Commission shall review each convenience zone
30 specified under ORS 459A.738 and each low-impact convenience zone.

1 **The review must include consultation with:**

2 **“(a) The distributor cooperative;**

3 **“(b) Participating dealers within the convenience zone; and**

4 **“(c) If the boundary of the convenience zone is less than three and**
5 **one-half miles from the redemption center, dealers that would be**
6 **within the convenience zone if the boundary of the convenience zone**
7 **were extended to three and one-half miles.**

8 **“(2) In conducting the review, the commission shall consider**
9 **whether:**

10 **“(a) Any convenience zones specified under ORS 459A.738 should be**
11 **classified as a low-impact convenience zone; and**

12 **“(b) The classification of any low-impact convenience zones should**
13 **be revoked.**

14 **“SECTION 6. (1) A dealer that occupies a space of 5,000 or more**
15 **square feet that is located within the limits of a city with a population**
16 **of 500,000 or greater may establish a dealer bag drop at the dealer’s**
17 **place of business.**

18 **“(2) Notwithstanding any other provision of ORS 459A.700 to**
19 **459A.744, a dealer bag drop must:**

20 **“(a) Provide secure drop off service at no charge for empty beverage**
21 **containers to be returned by any person for the refund value estab-**
22 **lished by ORS 459A.705 in a bag or other bulk return container sold for**
23 **that purpose;**

24 **“(b) Provide an accounting mechanism on the dealer’s premises by**
25 **which a person may redeem the refund value of beverage containers**
26 **returned in bulk no later than one week after the beverage containers**
27 **are dropped off at the dealer bag drop;**

28 **“(c) Be serviced by a distributor cooperative for purposes of trans-**
29 **porting and processing redeemed beverage containers;**

30 **“(d) Be available for persons to return beverage containers to the**

1 dealer bag drop any time that the dealer is open between the hours
2 of 8 a.m. and 8 p.m.; and

3 “(e) Provide convenient service to the public as the Oregon Liquor
4 and Cannabis Commission may determine.

5 “(3) A dealer bag drop may provide services other than those spec-
6 ified in subsection (2) of this section as determined necessary by the
7 person responsible for operation of the dealer bag drop.

8 “(4) A distributor cooperative that services a dealer bag drop shall:

9 “(a) Provide notice to the commission no later than 14 days after
10 the date that a dealer bag drop:

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

13 “(B) Ceases operations; and

14 “(b) Annually provide to the commission the names and addresses
15 of all dealers that establish dealer bag drops serviced by the distributor
16 cooperative, and such additional information as the commission may
17 require.

18 “(5) A dealer that establishes and operates a dealer bag drop may,
19 notwithstanding any other provision of ORS 459A.700 to 459A.744, re-
20 fuse to accept and to pay the refund value of individual empty
21 beverage containers.

22 “SECTION 7. No later than January 1, 2026, the Oregon Liquor and
23 Cannabis Commission, in consultation with the distributor cooperative
24 and an association representing retail grocers, shall review each con-
25 venience zone and classify as a low-impact convenience zone any con-
26 venience zone that meets the criteria specified in section 4 of this 2025
27 Act.

28 “SECTION 8. ORS 459A.700 is amended to read:

29 “459A.700. As used in ORS [459.992 (3) and (4) and] 459A.700 to 459A.744,
30 unless the context requires otherwise:

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

3 “[(1)] (2) ‘Beverage’ means a fluid described in ORS 459A.702.

4 “[(2)] (3) ‘Beverage container’ means a container described in ORS
5 459A.702.

6 “[(3)] (4) ‘Commission’ means the Oregon Liquor and Cannabis Commis-
7 sion.

8 “[(4)] (5) ‘Consumer’ means every person who purchases a beverage in a
9 beverage container for use or consumption.

10 “[(5)] (6) ‘Dealer’ means every person in this state who engages in the sale
11 of beverages in beverage containers to a consumer, or means a full-service
12 redemption center approved under ORS 459A.735.

13 “(7) **‘Dealer bag drop’ means a location that meets the requirements**
14 **of section 6 of this 2025 Act, at which any person may return empty**
15 **beverage containers in bulk and access the refund value of the**
16 **beverage containers through an accounting mechanism, that is acces-**
17 **sible on the premises, that makes the refund value available no later**
18 **than one week after the person drops off the beverage containers.**

19 “[(6)] (8) ‘Dealer redemption center’ means a location that meets the re-
20 quirements of ORS 459A.741, at which any person may return empty beverage
21 containers **in bulk** and *[receive payment of]* **access** the refund value of the
22 beverage containers **through an accounting mechanism, that is accessi-**
23 **ble on the premises, that makes the refund value available no later**
24 **than one week after the person drops off the beverage containers.**

25 “[(7)] (9) ‘Distributor’ means every person who engages in the sale of
26 beverages in beverage containers to a dealer in this state including any
27 manufacturer who engages in such sales.

28 “[(8)] (10) ‘Full-service redemption center’ means a location that meets the
29 requirements of ORS 459A.737, at which any person may return empty
30 beverage containers and receive payment of the refund value of the beverage

1 containers.

2 “[9] (11) ‘Hard seltzer’ means any sugar-based alcoholic beverage that
3 contains carbonated water or any malt-based alcoholic beverage that con-
4 tains carbonated water and is not a malt beverage, as defined in ORS 471.001.

5 “[10] (12) ‘Importer’ means any dealer or manufacturer who directly
6 imports beverage containers into this state.

7 “[11] (13) ‘In this state’ means within the exterior limits of the State
8 of Oregon and includes all territory within these limits owned by or ceded
9 to the United States of America.

10 “[12] (14) ‘Kombucha’ means a fermented beverage that is made from tea
11 and contains not more than 21 percent of alcohol by volume.

12 **“(15) ‘Low-impact convenience zone’ means a convenience zone
13 specified under section 4 of this 2025 Act.**

14 “[13] (16) ‘Manufacturer’ means every person bottling, canning or oth-
15 erwise filling beverage containers for sale to distributors, importers or deal-
16 ers.

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

19 “[15] (18) ‘Redemption center’ means a full-service redemption center,
20 [or] a dealer redemption center **or an alternative access redemption cen-
21 ter.**

22 “[16] (19) ‘Use or consumption’ includes the exercise of any right or
23 power over a beverage incident to the ownership thereof, other than the sale
24 or the keeping or retention of a beverage for the purposes of sale.

25 “[17] (20) ‘Water and flavored water’ means any beverage identified
26 through the use of letters, words or symbols on its product label as a type
27 of water.

28 “[18] (21) ‘Wine’ has the meaning given that term in ORS 471.001, except
29 that ‘wine’ does not mean hard seltzer or kombucha.

30 **“SECTION 9.** ORS 459A.715 is amended to read:

1 “459A.715. (1) A dealer may refuse to accept from any person, and a dis-
2 tributor or importer may refuse to accept from a dealer, any empty beverage
3 container that does not state thereon a refund value as established by ORS
4 459A.705.

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

6 “(a) Empty beverage containers if the place of business of the dealer and
7 the kind of empty beverage containers are included in an order of the Oregon
8 Liquor and Cannabis Commission approving a full-service redemption center
9 under ORS 459A.735.

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

13 “(A) **A full-service redemption center, if the dealer’s place of busi-**
14 **ness is located in a low-impact convenience zone; or**

15 “(B) **An alternative access redemption center.**

16 “(c) **Empty beverage containers at a location where the dealer has**
17 **established a dealer bag drop.**

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

21 “[*c*](A) (e)(A) More than 144 individual beverage containers returned
22 by any one person during one day, if the dealer occupies a space of 5,000 or
23 more square feet in a single area.

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

27 “[*d*] (f) Any beverage container that is damaged to the extent that the
28 brand appearing on the container cannot be identified.

29 “(3) The commission shall develop and provide to dealers notices that
30 describe the reasons a dealer may refuse to accept and to pay the refund

1 value for empty beverage containers under subsection (2) of this section. The
2 notices may contain additional information as determined by the commission.

3 “(4) A dealer must post in each area where beverage containers are re-
4 ceived a notice provided to the dealer under subsection (3) of this section.

5 **“(5)(a) A dealer required to accept the return of beverage containers**
6 **under the provisions of ORS 459A.700 to 459A.744 must accept the re-**
7 **turn of beverage containers during the hours of 8 a.m. to 8 p.m. while**
8 **the dealer is otherwise open for business. A dealer may refuse to ac-**
9 **cept the return of beverage containers during all other hours.**

10 **“(b) The commission may, by rule, expand the hours during which**
11 **a dealer must accept the return of beverage containers under para-**
12 **graph (a) of this subsection if the commission determines that addi-**
13 **tional time for beverage container returns is needed to provide**
14 **convenient service to the public.**

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

19 **“SECTION 10.** ORS 459A.735 is amended to read:

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

25 **“(2) Application for approval of a full-service redemption center shall be**
26 **filed with the commission. The application shall state the name and address**
27 **of the person responsible for the establishment and operation of the full-**
28 **service redemption center, the kind of beverage containers that will be ac-**
29 **cepted at the full-service redemption center, the names and addresses of the**
30 **dealers to be served by the full-service redemption center and proposals for**

1 up to two convenience zones described in ORS 459A.738. The application
2 shall include such additional information as the commission may require.

3 “(3) The commission shall approve a full-service redemption center if it
4 finds the redemption center will provide a convenient service to persons for
5 the return of empty beverage containers. The order of the commission ap-
6 proving a full-service redemption center shall state:

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

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

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

13 “(d) The services to be provided by the redemption center and the equiv-
14 alent services required to be provided under ORS 459A.738 (5) by a dealer
15 that does not participate in, and is not served by, the full-service redemption
16 center;

17 “(e) The kind of empty beverage containers that the full-service redemp-
18 tion center must accept;

19 “(f) Whether the full-service redemption center will be located in an area
20 zoned for commercial **or industrial** use under state statute or local ordi-
21 nance or will be located in an area that will provide more convenient service
22 given the proximity of the location to the dealers within the convenience
23 zones to be served by the full-service redemption center; *[and]*

24 “(g) **That the applicant has notified the state Senator and state**
25 **Representative in whose districts the full-service redemption center**
26 **will be located of the proposed full-service redemption center and the**
27 **applicant’s plan for community engagement; and**

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

1 “(4) A full-service redemption center approved by the commission under
2 this section is not a recycling depot for purposes of ORS 90.318, 459A.007,
3 459A.010, 459A.050 or 459A.080.

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

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

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

12 “(B) Notice of the provisions of ORS 459A.738 that are applicable to the
13 dealer receiving the notice.

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

22 **“(7) The commission shall provide the opportunity for public com-**
23 **ment before concluding under subsection (3) or (6) of this section that**
24 **a full-service redemption center provides a convenient service to the**
25 **public for the redemption of beverage containers. The commission may**
26 **deny an application for approval of a full-service redemption center**
27 **or withdraw approval if the commission determines that the full-**
28 **service redemption center would have or has had a negative impact**
29 **on the livability of the surrounding area that outweighs any conven-**
30 **ient service to the public for the redemption of beverage containers.**

1 **“SECTION 11.** ORS 459A.741 is amended to read:

2 “459A.741. (1) Any person may establish a dealer redemption center to
3 serve one or more dealers doing business in an area that is not part of a
4 convenience zone specified by the Oregon Liquor and Cannabis Commission
5 under ORS 459A.738.

6 “(2) Notwithstanding any other provision of ORS 459A.700 to 459A.744, a
7 dealer redemption center must:

8 “(a) Provide secure drop off service at no charge for empty beverage
9 containers to be returned by any person for the refund value established by
10 ORS 459A.705 in a bag or other bulk return container sold for that purpose;

11 “(b) Provide an accounting mechanism by which a person may redeem the
12 refund value of beverage containers returned in bulk [*either immediately in*
13 *cash from a dealer participating in the dealer redemption center or*] no later
14 than one week after the beverage containers are dropped off **at the dealer**
15 **redemption center;**

16 “(c) Be serviced by a distributor cooperative for purposes of transporting
17 and processing redeemed beverage containers;

18 “(d) Be available for persons to return beverage containers to the dealer
19 redemption center during any time that a participating dealer is open be-
20 tween the hours of 8 a.m. and 8 p.m.; and

21 “(e) Be of a sufficient capacity to provide convenient service to the public
22 as the commission may determine.

23 “(3) A dealer redemption center may provide services other than those
24 specified in subsection (2) of this section as determined necessary by the
25 person responsible for operation of the dealer redemption center.

26 “(4) A distributor cooperative that services dealer redemption centers
27 shall:

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

30 “(A) Begins providing drop off service to persons for the return of empty

1 beverage containers; or

2 “(B) Ceases operations; and

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

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

11 “(b) If a dealer redemption center is established in a city having a popu-
12 lation of less than 10,000 people, the Oregon Liquor and Cannabis Commis-
13 sion shall specify a dealer redemption center convenience zone. The dealer
14 redemption center convenience zone shall be the sector within a radius of
15 not more than one mile around the dealer redemption center. Any dealer
16 doing business within a dealer redemption center convenience zone may
17 participate in, be served by and pay the cost of participation in the dealer
18 redemption center and receive the benefit provided for in paragraph (a) of
19 this subsection.

20 **“SECTION 12.** ORS 459A.720 is amended to read:

21 “459A.720. (1) Every beverage container sold or offered for sale in this
22 state by a dealer shall clearly indicate by embossing or by a stamp, or by a
23 label or other method securely affixed to the beverage container, the refund
24 value of the container.

25 “(2) Subsection (1) of this section shall not apply to glass beverage con-
26 tainers designed for beverages having a brand name permanently marked
27 thereon which, on October 1, 1972, had a refund value of not less than five
28 cents.

29 “(3) No person shall sell or offer for sale at retail in this state any metal
30 beverage container so designed and constructed that a part of the container

1 is detachable in opening the container without the aid of a can opener.

2 “(4) On or after March 1, 1979, no person shall sell or offer for sale at
3 retail in this state, in addition to beverages as defined in ORS 459A.700
4 [(1)], any beverage in liquid form intended for human consumption in any
5 beverage container so designed and constructed that a metal part of the
6 container is detachable in opening the container through use of a metal ring
7 or tab without the aid of a can opener. However, nothing in this subsection
8 shall prohibit the sale of a container the only detachable part of which is a
9 piece of pressure sensitive tape.

10 “(5) No person shall sell or offer for sale at retail in this state metal
11 beverage containers connected to each other by a separate holding device
12 constructed of plastic rings or other material which will not decompose by
13 photobiodegradation, chemical degradation, or biodegradation within 120
14 days of disposal.

15 **“SECTION 13.** ORS 459A.863 is amended to read:

16 “459A.863. As used in ORS 459A.860 to 459A.975:

17 “(1) ‘Brand’ means any mark, word, name, symbol, design, device or
18 graphical element, or a combination thereof, including a registered or un-
19 registered trademark, that identifies a product and distinguishes the product
20 from other products.

21 “(2) ‘Commingled recycling’ means the recycling or recovery of two or
22 more materials that are mixed together and that generally would be sepa-
23 rated into individual materials at a commingled recycling processing facility
24 in order to be marketed.

25 “(3)(a) ‘Commingled recycling processing facility’ means a facility that:

26 “(A) Receives source separated commingled recyclable materials that are
27 collected commingled from a collection program providing the opportunity
28 to recycle; and

29 “(B) Separates the recyclable materials described in subparagraph (A) of
30 this paragraph into marketable commodities or streams of materials that are

1 intended for use or further processing by others.

2 “(b) ‘Commingled recycling processing facility’ does not include:

3 “(A) Scrap metal recycling facilities;

4 “(B) Scrap automotive or appliance recycling facilities;

5 “(C) [*Full-service redemption centers or dealer redemption centers,*] **Re-**
6 **demption centers or dealer bag drops**, as those terms are defined in ORS
7 459A.700, and recycling facilities owned and operated by a distributor coop-
8 erative established under ORS 459A.718;

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

11 “(E) Recycling processing facilities that process only noncommingled,
12 source separated recyclable material from commercial entities;

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

15 “(G) Recycling depots;

16 “(H) Recycling reload facilities; or

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

19 “(4) ‘Contaminant’ means:

20 “(a) A material set out for recycling collection that is not properly pre-
21 pared and on the list of materials accepted for recycling collection by a re-
22 cycling collection program; or

23 “(b) A material shipped to a recycling end market that is not accepted
24 or desired by that end market.

25 “(5) ‘Contamination’ means the presence of one or more contaminants in
26 a recycling collection or commodity stream in an amount or concentration
27 that negatively impacts the value of the material or negatively impacts a
28 processor’s ability to sort that material.

29 “(6)(a) ‘Covered product’ means:

30 “(A) Packaging;

1 “(B) Printing and writing paper; and
2 “(C) Food serviceware.
3 “(b) ‘Covered product’ does not include:
4 “(A) A beverage container, as defined in ORS 459A.700.
5 “(B) Bound books.
6 “(C) Napkins, paper towels or other paper intended to be used for clean-
7 ing or the absorption of liquids.
8 “(D) Rigid pallets used as the structural foundation for transporting goods
9 lifted by a forklift, pallet jack or similar device.
10 “(E) Specialty packaging items that are used exclusively in industrial or
11 manufacturing processes, including but not limited to:
12 “(i) Cores and wraps for rolls of packaging sold by a mill to a packaging
13 converter or food processor; and
14 “(ii) Trays, whether designed for a single use or multiple uses, used for
15 the transport of component parts from a parts supplier to a manufacturer
16 that assembles those parts.
17 “(F) Liquified petroleum gas containers that are designed to be refilled.
18 “(G) A material that the producer demonstrates is exempt under ORS
19 459A.869.
20 “(H) Pallet wrap or similar packaging used to secure a palletized load if
21 added by a person that is not the producer of the palletized covered products.
22 “(I) Packaging related to containers for architectural paint, as defined in
23 ORS 459A.822, that has been collected by a producer responsibility organ-
24 ization under the program established under ORS 459A.820 to 459A.855.
25 “(J) Any item that is not ultimately discarded inside this state, whether
26 for purposes of recovery or disposal.
27 “(K) Items sold on a farm or used on a farm, including items used for farm
28 use, as defined in ORS 215.203, or for processing on a farm, provided that
29 an item used on a farm is not subsequently sold at a retail establishment
30 that is not located on a farm.

1 “(L) Items used by a nursery licensed under ORS 571.055 that generates
2 the majority of the nursery’s revenue through the sale of nursery stock, as
3 defined in ORS 571.005, provided that the items are not sold through retail
4 sales.

5 “(M) Packaging and paper products sold or supplied in connection with:

6 “(i) Prescription drugs as defined in ORS 689.005;

7 “(ii) Nonprescription drugs as defined in ORS 689.005;

8 “(iii) Drugs marketed under a brand name as defined in ORS 689.515; or

9 “(iv) Drugs marketed under a generic name as defined in ORS 689.515.

10 “(N) Packaging and paper products sold or supplied in connection with
11 drugs that are used for animal medicines, including but not limited to
12 parasiticide drugs for animals.

13 “(O) Packaging and paper products sold or supplied in connection with:

14 “(i) Infant formula as defined in 21 U.S.C. 321(z);

15 “(ii) Medical food as defined in 21 U.S.C. 360ee(b)(3); or

16 “(iii) Fortified oral nutritional supplements used for individuals who re-
17 quire supplemental or sole source nutrition to meet nutritional needs due to
18 special dietary needs directly related to cancer, chronic kidney disease,
19 diabetes, malnutrition, or failure to thrive, as those terms are defined as by
20 the International Classification of Diseases, Tenth Revision, or other medical
21 conditions as determined by the commission.

22 “(P) Wine and spirit containers for which a refund value is established
23 under Oregon law.

24 “(Q) Packaging for products:

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

29 “(ii) Identified by the commission by rule as product that is required by
30 law to state on the label or container that the packaging should not be re-

1 cycled or should be disposed of in a manner other than recycling.

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

4 “(7) ‘Food servicerware’ means paper or plastic plates, wraps, cups, bowls,
5 pizza boxes, cutlery, straws, lids, bags, aluminum foil or clamshells or similar
6 containers:

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

8 “(b) That are sold to a retailer or a dine-in food establishment or a
9 take-out food establishment, regardless of whether the item is used to pre-
10 package food for resale, is filled on site for food ordered by a customer or
11 is resold as is.

12 “(8) ‘Large producer’ means a producer that is among the 25 largest pro-
13 ducers of covered products based on market share.

14 “(9) ‘Licensee’ means a person that is licensed by a brand and manufac-
15 tures a covered product or a packaged item under that brand.

16 “(10) ‘Litter’ means waste that is improperly placed so as to be a nuisance
17 or aesthetic, health or environmental concern.

18 “(11) ‘Local government’ means:

19 “(a) A city;

20 “(b) A county; or

21 “(c) A metropolitan service district.

22 “(12) ‘Local government’s service provider’ means:

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

24 “(b) Any person authorized by a city or county to provide recycling col-
25 lection services described in subsection (25)(a) to (d) of this section; or

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

28 “(13) ‘Market share’ means a producer’s percentage of all covered pro-
29 ducts sold in or into this state during a specified time period, as calculated
30 in accordance with methods established by the commission by rule.

1 “(14) ‘Mechanical recycling’ means a form of recycling that does not
2 change the basic molecular structure of the material being recycled.

3 “(15) ‘Metropolitan service district’ means a metropolitan service district
4 established under ORS chapter 268.

5 “(16) ‘Nonprofit organization’ means an organization or group of organ-
6 izations described in section 501(c)(3) of the Internal Revenue Code that is
7 exempt from income tax under section 501(a) of the Internal Revenue Code.

8 “(17) ‘Opportunity to recycle’ has the meaning given that term in ORS
9 459A.005.

10 “(18)(a) ‘Packaging’ means:

11 “(A) Materials used for the containment or protection of products, in-
12 cluding but not limited to paper, plastic, glass or metal or a mixture thereof;

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

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

16 “(b) ‘Packaging’ does not include:

17 “(A) Food serviceware; or

18 “(B) Sharps, as defined in ORS 459.386.

19 “(19) ‘Person’ has the meaning given that term in ORS 459.005.

20 “(20) ‘Printing and writing paper’ includes, but is not limited to, newspa-
21 per, magazines, flyers, brochures, booklets, catalogs, telephone directories
22 and paper used for copying, writing or other general use.

23 “(21) ‘Processor’ means a person that owns or operates a commingled re-
24 cycling processing facility.

25 “(22) ‘Producer’ means a person that is determined to be the producer of
26 a covered product under ORS 459A.866.

27 “(23) ‘Producer responsibility organization’ means a nonprofit organiza-
28 tion established by a producer or group of producers to administer a pro-
29 ducer responsibility program.

30 “(24) ‘Producer responsibility program’ means a statewide program for the

1 responsible management of covered products that is administered by a pro-
2 ducer responsibility organization pursuant to a plan approved by the De-
3 partment of Environmental Quality under ORS 459A.878.

4 “(25) ‘Recycling collection’ means the act or process of gathering
5 recyclable materials by:

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

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

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

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

15 “(e) Other collection methods included in an approved producer responsi-
16 bility program plan.

17 “(26) ‘Recycling depot’ means a location where recyclable materials are
18 accepted from the public or commercial businesses and transported to a lo-
19 cation for processing or to an end market.

20 “(27) ‘Recycling reload facility’ means a facility other than a recycling
21 depot where recyclable materials are received, consolidated and made ready
22 for transport to another location for processing or to a responsible end
23 market.

24 “(28) ‘Recycling system’ means all aspects of the programs and partic-
25 ipants that have a role in Oregon’s statewide recycling structure, including
26 producers of products sold in or into Oregon, generators of recyclable mate-
27 rials, governments that regulate materials management programs, businesses
28 that collect and process recyclable materials and persons that receive
29 recyclable materials to convert to new feedstock or products.

30 “(29) ‘Responsible end market’ means a materials market in which the

1 recycling or recovery of materials or the disposal of contaminants is con-
2 ducted in a way that benefits the environment and minimizes risks to public
3 health and worker health and safety.

4 “(30) ‘Responsible management’ means the handling, tracking and dispo-
5 sition of covered products from the point of collection through the final
6 destination of the collected material in a way that benefits the environment
7 and minimizes risks to public health and worker health and safety.

8 “(31) ‘Responsible recycling’ means the handling of covered products for
9 recycling and removal of contaminants by a certified or permitted processor
10 and disposition to a responsible end market.

11 “(32) ‘Small producer’ means a producer that:

12 “(a) Is a nonprofit organization;

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

14 “(c) Has a gross revenue of less than \$5 million for the organization’s
15 most recent fiscal year;

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

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

23 “(f)(A) Is a restaurant, food cart or similar business establishment that
24 primarily sells to members of the public food that is generally intended to
25 be consumed immediately and without the need for further preparation, ei-
26 ther on or off the premises; and

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

28 or

29 “(g) Operates a single retail sales establishment, has no online sales and
30 is not supplied or operated as part of a franchise or a chain.

1 “(33) ‘Specifically identified material’ means a material or covered prod-
2 uct identified by the department under ORS 459A.917.

3 “(34) ‘Uniform statewide collection list’ means the list of materials es-
4 tablished in accordance with the requirements of ORS 459A.914 (4).

5 **“SECTION 14. This 2025 Act being necessary for the immediate**
6 **preservation of the public peace, health and safety, an emergency is**
7 **declared to exist, and this 2025 Act takes effect on its passage.”.**

8
