

Requested by Representative DOHERTY

**PROPOSED AMENDMENTS TO
HOUSE BILL 2523**

1 In line 2 of the printed bill, after “delivery” insert: “; creating new pro-
2 visions; and amending ORS 471.750”.

3 In line 6, after “471.750” delete the rest of the line.

4 After line 26, insert:

5 **“SECTION 3. Section 4 of this 2019 Act is added to and made a part
6 of ORS chapter 471.**

7 **“SECTION 4. The Oregon Liquor Control Commission may adopt
8 rules to license for-hire carriers for the delivery of distilled liquor
9 under section 2 of this 2019 Act. The rules may include, but need not
10 be limited to, requirements that the licensee:**

11 **“(1) Have a written plan acceptable to the commission for ensuring
12 that deliveries conform to the intent and purpose of section 2 of this
13 2019 Act;**

14 **“(2) Maintain records of deliveries as required by the commission
15 and allow the examination of those records by the commission; and**

16 **“(3) Consent to the jurisdiction of the commission and the courts
17 of this state for the purpose of enforcing this chapter and commission
18 rules adopted under this section.**

19 **“SECTION 5. ORS 471.750 is amended to read:**

20 **“471.750. (1) The Oregon Liquor Control Commission shall establish such
21 stores and warehouses in such places in the state as in its judgment are re-**

1 quired by public convenience or necessity, for the sale of spirituous liquors,
2 wines and other alcoholic liquors containing over five percent alcohol by
3 volume, in sealed containers for consumption off the premises. The commis-
4 sion shall keep on hand in such stores or warehouses such quantities and
5 kinds of alcoholic liquors as are reasonably required to supply the public
6 demand.

7 “(2) Any person qualified to purchase such liquors from the commission
8 has the right **by application** to [*present to*] **request from** the
9 commission[,] or [*at*] any of its stores[, *an application for*] any kind or brand
10 of alcoholic liquor that the person may desire and that may be manufactured
11 or obtainable in any place in the United States, and the commission shall
12 obtain such liquor and sell it to the [*applicant*] **person**. The commission may
13 not require that an application for a kind or brand of alcoholic liquor in-
14 clude a commitment to purchase a minimum amount of the liquor or require
15 that a purchase be for more than one container of a kind or brand of alco-
16 holic liquor if the liquor:

17 “(a) Except as provided in subsection (5) of this section, has a retail sales
18 price of \$30 or more per container;

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

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

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

24 “(3) The commission may not establish a store in any county or incorpo-
25 rated city of this state where a local prohibitory law is in effect. The com-
26 mission shall adopt rules governing advertising by stores operated by the
27 commission. The commission may appoint agents in the sale of said liquor
28 under such agreement as the commission may negotiate with said agents or
29 their representative.

30 “(4) Rules relating to advertising adopted by the commission under sub-

1 section (3) of this section shall allow signs and displays within its stores for
2 the purpose of supplying consumer information to customers, including but
3 not limited to discounts, sales and other specials. Commission discretion
4 with respect to those signs and displays shall be limited to regulation of the
5 content, size, number per brand, type and duration of the sign or display.
6 Signs and displays may be supplied by manufacturers, wholesalers or dis-
7 tributors, and may bear the name of a particular distillery, supplier or brand
8 of liquor. The use of signs and displays shall be optional with the agent ap-
9 pointed by the commission. Signs or displays authorized by the commission
10 may not be placed in positions within the store where the sign or display
11 would be readily visible from outside of the store.

12 “(5) The commission may annually adjust the price threshold established
13 in subsection (2)(a) of this section by a percentage equal to the percentage
14 change in the Portland-Salem, OR-WA Consumer Price Index for All Urban
15 Consumers for All Items as published by the Bureau of Labor Statistics of
16 the United States Department of Labor. However, the commission may not
17 adjust the price threshold to be less than \$30.”.

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