

House Bill 2170

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for Oregon Liquor Control Commission)

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 **as introduced**.

Allows Oregon Liquor Control Commission to issue temporary letter of authority for period not to exceed 180 days to any license applicant.

A BILL FOR AN ACT

1
2 Relating to temporary letters of authority issued by the Oregon Liquor Control Commission;
3 amending ORS 471.294 and 471.297; and repealing ORS 471.302.

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

5 **SECTION 1.** ORS 471.297 is amended to read:

6 471.297. (1) The Oregon Liquor Control Commission may grant a temporary letter of authority
7 for a period not to exceed [90] **180** days [*on change of ownership applications for licenses granted*
8 *under this chapter*] **to any license applicant** if the applicant pays the fee prescribed by the com-
9 mission for a temporary letter of authority. [*The administrator appointed by the commission under*
10 *ORS 471.720 may extend a temporary letter of authority granted under the provisions of this section*
11 *for a period not to exceed 30 days if the commission has not granted or denied the application at the*
12 *end of the 90-day period.*] A temporary letter of authority issued under this section does not consti-
13 tute a license for the purposes of ORS chapter 183.

14 (2) The commission **may refuse to issue a temporary letter of authority, and may at any**
15 **time** summarily and without prior administrative proceedings [*may*] revoke a temporary letter of
16 authority [*any time*], if the commission [*finds*] **reasonably believes** that any of the grounds for re-
17 fusing a license under ORS 471.313 or canceling or suspending a license under ORS 471.315 exist.

18 (3) A person [*subject to*] **whose temporary letter of authority is to be revoked under** sub-
19 section (2) of this section shall be given an interview under the direction of the commission if the
20 person requests an interview prior to revocation [*of a temporary letter of authority*]. However, the
21 proceedings are not a contested case under ORS chapter 183.

22 **SECTION 2.** ORS 471.294 is amended to read:

23 471.294. (1) Except as otherwise provided in this section, all licenses under this chapter and
24 renewals thereof shall be issued for a period of one year which shall expire at 12 midnight on March
25 31, June 30, September 30 or December 31 of each year.

26 (2) Notwithstanding subsection (1) of this section, a license issued for the first time to an ap-
27 plicant may be issued for less than a year. The license fee for the first license issued to an applicant,
28 if the license is issued for a fraction of a year, shall be proportionate to the annual license computed
29 on a quarterly basis, counting a major fraction of a quarter as a whole quarter.

30 (3) The term of a temporary letter of authority [*or license*] issued under ORS [*471.302*] **471.297**
31 or any temporary sales license is the period fixed by the Oregon Liquor Control Commission when

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 the letter or license is issued.

2 **SECTION 3. ORS 471.302 is repealed.**

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