

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

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**Action:** Without Recommendation as to Passage and Be Referred to the Committee on Rules

**Vote:** 4 - 1 - 0

**Yeas:** Schrader, Starr, Verger, Metsger

**Nays:** George

**Exc.:** -

**Prepared By:** Jim Stembridge, Administrator

**Meeting Dates:** 5/28

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**WHAT THE MEASURE DOES:** Authorizes the Oregon Liquor Control Commission (OLCC) to place restrictions on license of premises if the licensee is experiencing serious or persistent problems, for the purpose of preventing the problems. Establishes that the measure does not apply to an off-premises sales licensee.

**ISSUES DISCUSSED:**

- Provisions of the measure

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Prior to issuing a liquor license by the Oregon Liquor Control Commission (OLCC), public notices are posted on the building/property that is to be licensed as well as delivered to neighborhood associations, schools, and other entities located within either 500 feet or 1,500 feet of the proposed location (depending on whether the location is in a urban or rural area). The local governing body also makes a recommendation to the OLCC regarding licensure. The applicant(s) and the proposed location are also investigated by an OLCC investigator who in turn makes a recommendation based on law, case history, and OLCC policy.

The OLCC executive director has authority to grant or deny most liquor licenses but the OLCC commissioners must review and deny or approve an application under circumstances such as a negative local government recommendation, significant public opposition, recent record of an applicant's alcohol or drug abuse, or a determination by the OLCC executive director of the potential for future law violations. A license can be suspended or revoked for actions such as knowingly selling alcohol to minors or visibly intoxicated patrons; or for a history of serious and persistent problems involving disturbances, lewd behavior, unlawful activities, or noise either in the premises or involving patrons in the immediate vicinity of the premises (and the problems are related to the sale or service of alcohol by the licensee).

HB 3201-A allows the OLCC to place restrictions on on-premise sales licensees that are experiencing serious or persistent problems. The measure explicitly states that the restrictions are placed "for the purpose of preventing the continuation of the problems," but does not define "restrictions." HB 3201-A does not apply to off-premises sales licensees (i.e. grocery stores and convenience stores).