

House Bill 3465

Sponsored by Representative DEMBROW, Senator DINGFELDER

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**.

Requires distributor and organization representing group of distributors to remit to Department of Revenue amount equal to total refund value of beverage containers sold by distributor or group of distributors less amount actually refunded to dealers each quarter. Requires that distributor and organization representing group of distributors keep certain records and make reports to department. Requires that distributor and organization representing group of distributors make certain records available to department. Provides civil penalties for failure to keep accurate records or provide reports.

A BILL FOR AN ACT

1
2 Relating to beverage containers; and providing for revenue raising that requires approval by a
3 three-fifths majority.

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

5 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS 459A.700 to**
6 **459A.740.**

7 **SECTION 2. (1) Each distributor and organization representing a group of distributors**
8 **shall remit to the Department of Revenue an amount equal to the total refund value of the**
9 **beverage containers sold by the distributor or group of distributors less the amount actually**
10 **refunded to dealers each calendar quarter. The report must be provided to the department**
11 **within _____ days of the end of each quarter. Moneys received by the department under**
12 **this section shall be deposited in the General Fund after the deduction of any expenses of the**
13 **department in administering the provisions of this section.**

14 **(2)(a) Each distributor and organization representing a group of distributors shall keep**
15 **accurate records reflecting the number of beverage containers sold, the number of beverage**
16 **containers returned and the total amount of refund payments made to dealers during each**
17 **quarter.**

18 **(b) At the same time the distributor or organization representing a group of distributors**
19 **makes the quarterly payment required by subsection (1) of this section, the distributor or**
20 **organization shall also submit a report to the department detailing the information specified**
21 **in paragraph (a) of this subsection.**

22 **(3) The department may not disclose records of a distributor or an organization repre-**
23 **senting a group of distributors obtained by the department pursuant to this section. The**
24 **department may disclose information contained in records obtained by the department pur-**
25 **suant to this section in aggregate form as long as the department does not identify individual**
26 **distributors.**

27 **(4) Each distributor and organization representing a group of distributors shall make the**
28 **records specified in this section available to the department upon a request for inspection**

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 **and audit.**

2 **(5) Each distributor and organization representing a group of distributors that fails to**
3 **keep accurate records or provide the reports required by this section shall be liable for a civil**
4 **penalty of _____ per occurrence.**

5 _____