

Enrolled Senate Bill 135

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CHAPTER

AN ACT

Relating to alcoholic beverages; creating new provisions; and amending ORS 471.404.

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

SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 471.

SECTION 2. The Oregon Liquor Control Commission may issue a manufacturer or other person a certificate of approval authorizing the import of distilled liquor manufactured by a distillery not licensed under ORS 471.230. The commission may establish by rule:

- (1) The conditions under which a manufacturer or other person may qualify for a certificate of approval;
- (2) The products covered by the certificate of approval;
- (3) Any conditions or limitations placed on imports under the certificate of approval; and
- (4) The grounds for suspension or revocation of a certificate of approval.

SECTION 3. ORS 471.404 is amended to read:

471.404. (1) [No] Alcoholic liquor [shall] **may not** be imported into this state by any person [not holding] **other than a holder of** a brewery, winery, distillery or wholesaler's license, except as follows:

(a) Alcoholic liquor ordered by and en route to the Oregon Liquor Control Commission, **under a certificate of approval issued by the commission.**

(b) Wines for sacramental purposes according to rules adopted by the commission.

(c) Alcoholic liquor that is in transit on a common carrier to a destination outside Oregon.

(d) Alcoholic liquor coming into Oregon on a common carrier according to orders placed by a licensed brewery, winery or wholesaler.

[e) Imported alcoholic liquor pursuant to a permit issued under subsection (2) of this section.]

(e) **Grain and ethyl alcohol for scientific, pharmaceutical, manufacturing, mechanical or industrial use, under a certificate of approval issued by the commission.**

(f) Wine or cider that is sold and transported by the holder of a wine self-distribution permit to a retail licensee that has the endorsement described in ORS 471.274 (5).

(g) Wine or cider shipped directly to a resident of this state under a direct shipper permit issued pursuant to ORS 471.282.

(2) The commission may require importers of alcoholic liquor to [secure a permit for each importation and may charge] **pay** a reasonable **handling** fee based on **the** quantity and type [for the permit] **of alcoholic liquor being imported.**

SECTION 4. The amendments to ORS 471.404 by section 3 of this 2009 Act become operative 90 days after the effective date of this 2009 Act.

Passed by Senate April 1, 2009

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Secretary of Senate

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President of Senate

Passed by House May 20, 2009

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Speaker of House

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State