

REVENUE: Minimal revenue impact, no statement issued

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass
Vote:	8 - 0 - 0
Yeas:	Conger, Doherty, Esquivel, Hoyle, Johnson, Matthews, Kennemer, Schaufler
Nays:	0
Exc.:	0
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	3/7

WHAT THE MEASURE DOES: Clarifies the privileges of individuals who produce homemade beer, wine, and fermented fruit juice within the state’s Liquor Control Act. Allows unlicensed malt beverages and homemade beer, wine, and fermented fruit juice to be stored at a licensed premise. Allows licensees to conduct organized judging, tasting, exhibitions, contests or competitions of unlicensed malt beverages and wine or homemade beer, wine, and fermented fruit juice or related events at the portion of a licensed premises approved by the Oregon Liquor Control Commission for such an activity. Requires that licensees not acquire any ownership interest in unlicensed malt beverages and homemade beer, wine, and fermented fruit juice stored at the licensed premises. Allows persons to provide assistance to other persons in the making of homemade beer, wine and fermented fruit juice if they do not receive financial consideration. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Economic impact of home brewing, home brewing competitions, and the overall beer industry in Oregon
- Number of home brewers who enter Oregon-based competitions
- Level of support from stakeholders, including commercial breweries
- Level of input from stakeholders in developing the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Senate Bill 444-A was drafted in response to a Department of Justice legal opinion, requested by the Oregon Liquor Control Commission, regarding the legality of licensees conducting home brewed beer competitions and events on their licensed premises. The legal interpretation was that under current statute, home brewers are restricted to brew without a license only within the confines of their home.

Senate Bill 444-A allows the making, keeping, storage, or transportation of homemade beer, wine or fermented fruit juice, and limits the amount of these products to be produced during a calendar year, in order to be exempt from the state’s Liquor Control Act, for up to 100 gallons in a household having one person who is at least 21 years of age, or 200 gallons in a household having two or more persons who are 21 years of age or older. An individual can also possess mash, wort or wash, for the purpose of making of homemade beer, wine or fermented fruit juice.

The measure clarifies that homemade beer, wine or fermented fruit juice is defined as such if it is not dependent or conditioned on financial consideration. The definition of “financial consideration” exempts prizes awarded at competitions and exhibitions; tax deductions or credits for homemade beer, wine, and fermented fruit juice donations to non-profits; event admission charges or club or organizational dues; homemade beer, wine, and fermented fruit juice made by other persons; beer, wine, and fermented fruit juice ingredients; and wages and salaries paid by an educational organization for teaching brewing, winemaking, fermentation science or fermentation processes.

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This summary has not been adopted or officially endorsed by action of the committee.