

**REVENUE: Minimal revenue impact, no statement issued**

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

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	6 - 0 - 0
<b>Yeas:</b>	Atkinson, Burdick, Edwards, Girod, Starr, Beyer
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Richard Berger, Administrator
<b>Meeting Dates:</b>	2/10

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**WHAT THE MEASURE DOES:** Expands the exemption of homemade beer, wine, and fermented fruit juice from the state's Liquor Control Act. Allows the making, keeping, storage, or transportation of homemade beer, wine or fermented fruit juice. Limits the amount of homemade beer, wine, and fermented fruit juice that may be produced during a calendar year and still be exempt from the Liquor Control Act. Allows the possession of mash, wort or wash, for the purpose of making of homemade beer, wine or fermented fruit juice. Defines 'homemade' as being made for noncommercial purposes. Defines 'noncommercial' as not being dependent or conditioned on 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, or beer, wine, and fermented fruit juice ingredients from being considered financial consideration. 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. Declares an emergency, effective upon passage.

**ISSUES DISCUSSED:**

- Need for urgency so that county fairs can schedule brewing and wine-making competitions before they begin to print their packets and brochures in early April
- Economic impact of home brewing, including home brewer supplies and ingredients, tourist income for competitions, training of future professional brewers
- Oregon Liquor Control Commission does not see avenue to hold home brew competitions without statutory change
- Support of brewers unions and commercial breweries

**EFFECT OF COMMITTEE AMENDMENT:** Removes language that would have required that homemade beer, wine, and fermented fruit juice be made at a private residence by a person living at the residence. Removes language that would have restricted the consumption of malt beverages on licensed premises. Adds 'related events' to the list of events where homemade beer, wine, and fermented fruit juice are allowed.

**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 a home brewed beer competition and event 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.

2/16/2011 11:22:00 AM

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