

A-Engrossed
House Bill 2150

Ordered by the House April 8
Including House Amendments dated April 8

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber for Oregon Liquor Control Commission)

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.

[Creates winery custom crush license. Specifies powers and duties of winery custom crush licensee.]

[Requires winery licensee to possess federal wine producer and blender permit to conduct some activities of licensee. Requires winery custom crush licensee to possess federal wine wholesaler permit to conduct some activities of licensee. Requires applicant for winery license or winery custom crush license to provide Oregon Liquor Control Commission with proof of federal permit status. Allows commission to cancel or suspend license or impose civil penalty if winery licensee or winery custom crush licensee does not maintain valid federal permit.]

[Makes winery custom crush licensee manufacturer for purposes of tied-house prohibitions. Creates exceptions.]

Modifies alcohol content and quantity restrictions for malt beverages sold by wholesale malt beverage and wine licensee on licensed premises to unlicensed entities.

A BILL FOR AN ACT

1
2 Relating to alcoholic beverages; amending ORS 471.235.

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

4 **SECTION 1.** ORS 471.235 is amended to read:

5 471.235. (1) A wholesale malt beverage and wine license shall allow the importation, storage,
6 transportation, wholesale sale and distribution to licensees of the Oregon Liquor Control Commis-
7 sion, and the export of wine, cider and malt beverages, and the importation and sale to the com-
8 mission and the export of wine of alcoholic content in excess of 21 percent alcohol by volume. *[No*
9 *such licensee shall]* **A wholesale malt beverage and wine licensee may not** sell any alcoholic li-
10 quor for consumption upon the licensed premises. However, a wholesale malt beverage and wine
11 licensee may sell naturally fermented wine or cider in quantities of not less than four gallons nor
12 more than 55 gallons at any one time to consumers for consumption not on the licensed premises.
13 Wholesale malt beverage and wine licensees may sell malt beverages containing not more than
14 *[eight]* **nine** percent alcohol by volume in quantities not less than *[five]* **four** gallons to any unli-
15 censed organization, lodge, picnic party or private gathering. *[Such malt beverages shall not be sold*
16 *by such unlicensed group.]* **The unlicensed organization, lodge, picnic party or private gathering**
17 **may not sell the malt beverages.** A wholesale malt beverage and wine license shall permit the
18 licensee also to sell malt beverages at wholesale only, to persons holding licenses authorizing
19 *[them]* **the persons** to resell such beverages at retail. Employees of wholesale malt beverage and
20 wine licensees may serve sample tastings of malt beverages, cider and wine at alcoholic beverage
21 industry trade shows, seminars and conventions and at alcoholic beverage industry sample tastings
22 for employees of retail licensees.

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 (2) [*Nothing in*] Subsection (1) of this section [*shall be considered to*] **does not** prohibit the
2 transportation or wholesale sale or distribution of malt beverage or wine by a wholesale malt
3 beverage and wine licensee to any alcoholic treatment center licensed by the Oregon Health Au-
4 thority.

5 (3) A wholesale malt beverage and wine licensee may impose an additional handling fee on any
6 wine sold to any retailer in this state if the quantity of wine sold to the retailer is less than the
7 smallest multiple-package case available to be sold and the handling fee is uniform for all licensees.

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