

## HOUSE AMENDMENTS TO HOUSE BILL 4092

By COMMITTEE ON BUSINESS AND LABOR

February 9

1 On page 1 of the printed bill, line 2, delete “creating new provisions;”.

2 Delete lines 5 through 28.

3 Delete pages 2 and 3 and insert:

4 “**SECTION 1.** ORS 471.230 is amended to read:

5 “471.230. (1) A distillery license [*shall allow the holder thereof*] **allows the licensee** to import,  
6 manufacture, distill, rectify, blend, denature and store spirits of an alcoholic content greater than  
7 17 percent alcohol by weight, to sell the [*same*] **spirits** to the Oregon Liquor Control Commission  
8 and to transport the [*same*] **spirits** out of this state for sale outside this state. Distillery licensees  
9 [*shall be*] **are** permitted to purchase from and through the commission alcoholic beverages for  
10 blending and manufacturing purposes upon such terms and conditions as the commission may pro-  
11 vide. [*No such licensee shall*] **A distillery licensee may not** sell any alcoholic beverage within this  
12 state except to the commission or as provided in this section. However, any agricultural producer  
13 or association of agricultural producers or **the** legal agents [*thereof who manufacture and convert*]  
14 **of an agricultural producer or association of agricultural producers that manufactures and**  
15 **converts** agricultural surpluses, by-products and wastes into denatured ethyl and industrial alcohol  
16 for use in the arts and industry [*shall not be*] **are not** required to obtain a license from the com-  
17 mission.

18 “(2) A distillery licensee may:

19 “(a) Permit tastings of the distilled liquor manufactured by the distillery licensee. The tastings  
20 may be conducted on the licensed premises of the distillery, on one other premises owned or leased  
21 by the licensee, or both. The licensee must purchase the distilled liquor from the commission.

22 “(b) Obtain a special events distillery license. [*entitling the holder to permit tastings of the dis-*  
23 *tilled liquor manufactured by the distillery licensee. Tastings may be conducted under a special events*  
24 *distillery license at a designated location other than the location set forth in the distillery license for*  
25 *a period not exceeding five days. The licensee must purchase the distilled liquor from the*  
26 *commission.*]

27 “(c) Apply for appointment by the commission as a distillery retail outlet agent for purposes of  
28 retailing only distilled liquor that the licensee manufactured in Oregon at locations where tastings  
29 are permitted under paragraph (a) of this subsection **or subsection (4)(a) of this section.**

30 “(3) Notwithstanding ORS 471.392 to 471.400, a distillery licensee may also hold a full on-  
31 premises sales license for a location at the licensed premises of the distillery and a full on-premises  
32 sales license for one other location. All distilled spirits sold under the full on-premises sales license  
33 must be purchased from the commission.

34 “(4)(a) **A distillery licensee that holds a special events distillery license may conduct an**  
35 **event on a premises at a designated location other than the location set forth in the distillery**

1 license for a period not exceeding five days. A distillery licensee conducting an event may:

2 “(A) Permit tastings of distilled liquor manufactured by the distillery.

3 “(B) Permit sales by the drink of distilled liquor manufactured by the distillery.

4 “(C) If the distillery licensee has been appointed as a distillery retail outlet agent under  
5 subsection (2)(c) of this section, sell factory sealed containers of distilled liquor manufac-  
6 tured by the distillery for consumption off the licensed premises of the event.

7 “(b) A distillery licensee that holds a special events distillery license:

8 “(A) Must purchase distilled liquor that the licensee uses for conducting tastings at the  
9 event from the commission at the price set by the commission for distilled liquor removed  
10 from bond for tastings.

11 “(B) Must purchase distilled liquor that the licensee uses for sales by the drink at the  
12 event at the retail price set by the commission for the month in which the distilled liquor  
13 is sold by the drink.

14 “(C) Must purchase distilled liquor that the licensee sells in factory sealed containers at  
15 the event at the retail price set by the commission for the month in which the licensee  
16 makes the purchase.

17 “(D) Must sell distilled liquor described in subparagraph (C) of this paragraph at the re-  
18 tail price set by the commission for the month in which the licensee makes the sale.

19 “SECTION 2. This 2012 Act being necessary for the immediate preservation of the public  
20 peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect  
21 on its passage.”.

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