

Senate Bill 117

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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 **as introduced**.

Provides that beverage container redemption center approved as pilot project is approved for certain purposes. Allows Oregon Liquor Control Commission to approve additional beverage container redemption centers. Specifies operating procedures for beverage container redemption centers.

A BILL FOR AN ACT

1
2 Relating to beverage containers; creating new provisions; and amending ORS 459A.737.

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

4 **SECTION 1. The beverage container redemption center approved by the Oregon Liquor**
5 **Control Commission as a pilot project pursuant to ORS 459A.737 before the effective date of**
6 **this 2013 Act is deemed approved by the commission for the purposes of ORS 459A.737 as**
7 **amended by section 2 of this 2013 Act.**

8 **SECTION 2.** ORS 459A.737 is amended to read:

9 459A.737. (1)(a) Pursuant to the provisions of ORS 459A.735, the Oregon Liquor Control Com-
10 mission:

11 (A) Shall approve one beverage container redemption center [*pilot project*] in a city having a
12 population of less than 300,000, operated by a distributor cooperative serving a majority of the
13 dealers in this state[.]; **and**

14 (B) **May approve one or more additional beverage container redemption centers operated**
15 **by a distributor cooperative serving a majority of the dealers in this state.**

16 (b) Notwithstanding any other provision of ORS 459A.700 to 459A.740, [*the*] a beverage container
17 redemption center [*operated under the pilot project*]:

18 (A) May not refuse to accept and to pay the refund value of up to [300] **350** individual empty
19 beverage containers, as established by ORS 459A.705, returned by any one person during one
20 day[.];

21 (B) **Must provide hand counting of individual empty beverage containers that are re-**
22 **turned for the refund value established by ORS 459A.705; and**

23 (C) **Must provide drop off service for up to 24 individual empty beverage containers re-**
24 **turned by any one person during one day for the refund value established by ORS 459A.705,**
25 **and must provide an accounting mechanism by which the person may redeem the refund**
26 **value of the beverage containers at a later date.**

27 (2)(a) The commission shall specify two convenience zones for [*the pilot project*] **each beverage**
28 **container redemption center.** The first convenience zone shall be the sector within [*the one and*
29 *one-half mile radius*] **a radius of at least 2 miles, but not more than three and one-half miles,**

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 around the beverage container redemption center [*pilot project, and*]. The second convenience zone
 2 shall be the sector within [*the three mile radius*] **a radius of more than three and one-half miles**
 3 around the beverage container redemption center [*pilot project*].

4 (b) All dealers doing business within the first convenience zone that occupy a space of 5,000 or
 5 more square feet in a single area may participate in, and be served by, the [*pilot project*] **beverage**
 6 **container redemption center** and, if such a dealer participates in, and is served by, the [*pilot*
 7 *project*] **redemption center**, the dealer may, notwithstanding any other provision of ORS 459A.700
 8 to 459A.740, refuse to accept and to pay the refund value of empty beverage containers.

9 (c) All dealers doing business within the second convenience zone that occupy a space of 5,000
 10 or more square feet in a single area may participate in, and be served by, the [*pilot project*]
 11 **beverage container redemption center** and, if such a dealer participates in, and is served by, the
 12 [*pilot project*] **redemption center**, the dealer may, notwithstanding any other provision of ORS
 13 459A.700 to 459A.740, refuse to accept and to pay the refund value of more than 24 individual empty
 14 beverage containers returned by any one person during one day.

15 (d) All dealers doing business within either convenience zone that occupy a space of less than
 16 5,000 square feet in a single area may, notwithstanding any other provision of ORS 459A.700 to
 17 459A.740, refuse to accept and to pay the refund value of more than 24 individual empty beverage
 18 containers returned by any one person during one day.

19 (e)(A) Any dealer doing business in either convenience zone that occupies a space of 5,000 or
 20 more square feet in a single area that does not participate in, and is not served by, the [*pilot*
 21 *project*] **beverage container redemption center** may not refuse to accept and to pay the refund
 22 value of up to [300] **350** individual empty beverage containers, as established by ORS 459A.705, re-
 23 turned by any one person during one day and must provide **the** services [*similar to those provided*
 24 *by the pilot project, including hand counting of individual empty beverage containers that are returned*
 25 *for the refund value established by ORS 459A.705.*] **required by subsection (1)(b) of this section.**

26 **(B) In addition to the requirements specified in subparagraph (A) of this paragraph, a**
 27 **dealer described in this paragraph must:**

28 (i) **Post in each area where beverage containers are received a clearly visible and legible**
 29 **sign that contains the list of services that must be provided by the dealer; and**

30 (ii) **Provide two automated reverse vending machines, or one automated reverse vending**
 31 **machine for each 500,000 beverage containers sold by the dealer in the previous calendar**
 32 **year, whichever is greater.**

33 (3) The commission may adopt all rules necessary to implement and administer the provisions
 34 of this section.

35 **SECTION 3. The additional requirements for beverage container redemption centers im-**
 36 **posed by the amendments to ORS 459A.737 by section 2 of this 2013 Act apply to all beverage**
 37 **container redemption centers whether approved before, on or after the effective date of this**
 38 **2013 Act.**