

# House Bill 2135

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Revenue)

## 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**.

Removes prohibition against local government enactment of taxes on alcoholic beverages.  
Applies to alcoholic beverages manufactured or imported after effective date of Act.  
Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to local government taxes on alcoholic beverages; creating new provisions; amending ORS  
3 471.810; repealing ORS 473.190; and prescribing an effective date.

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

5 **SECTION 1. ORS 473.190 is repealed.**

6 **SECTION 2.** ORS 471.810 is amended to read:

7 471.810. (1) At the end of each month, the Oregon Liquor Control Commission shall certify the  
8 amount of moneys available for distribution in the Oregon Liquor Control Commission Account and,  
9 after withholding such moneys as it may deem necessary to pay its outstanding obligations, shall  
10 within 35 days of the month for which a distribution is made direct the State Treasurer to pay the  
11 amounts due, upon warrants drawn by the Oregon Department of Administrative Services, as fol-  
12 lows:

13 (a) Fifty-six percent, or the amount remaining after the distribution under subsection (4) of this  
14 section, credited to the General Fund available for general governmental purposes wherein it shall  
15 be considered as revenue during the quarter immediately preceding receipt;

16 (b) Twenty percent to the cities of the state in such shares as the population of each city bears  
17 to the population of the cities of the state, as determined by Portland State University last preceding  
18 such apportionment, under ORS 190.510 to 190.610;

19 (c) Ten percent to counties in such shares as their respective populations bear to the total  
20 population of the state, as estimated from time to time by Portland State University; and

21 (d) Fourteen percent to the cities of the state to be distributed as provided in ORS 221.770 and  
22 this section.

23 (2) The commission shall direct the Oregon Department of Administrative Services to transfer  
24 50 percent of the revenues from the taxes imposed by ORS 473.030 and 473.035 to the Mental Health  
25 Alcoholism and Drug Services Account in the General Fund to be paid monthly as provided in ORS  
26 430.380.

27 (3) If the amount of revenues received from the taxes imposed by ORS 473.030 for the preceding  
28 month was reduced as a result of credits claimed under ORS 473.047, the commission shall compute  
29 the difference between the amounts paid or transferred as described in subsections (1)(b), (c) and (d)  
30 and (2) of this section and the amounts that would have been paid or transferred under subsections

**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 (1)(b), (c) and (d) and (2) of this section if no credits had been claimed. The commission shall direct  
 2 the Oregon Department of Administrative Services to pay or transfer amounts equal to the differ-  
 3 ences computed for subsections (1)(b), (c) and (d) and (2) of this section from the General Fund to  
 4 the recipients or accounts described in subsections (1)(b), (c) and (d) and (2) of this section.

5 (4) Notwithstanding subsection (1) of this section, no city or county shall receive for any fiscal  
 6 year an amount less than the amount distributed to the city or county in accordance with ORS  
 7 471.350 (1965 Replacement Part), 471.810[, 473.190] and 473.210 (1965 Replacement Part) during the  
 8 1966-1967 fiscal year unless the city or county had a decline in population as shown by its census.  
 9 If the population declined, the per capita distribution to the city or county shall be not less than  
 10 the total per capita distribution during the 1966-1967 fiscal year. Any additional funds required to  
 11 maintain the level of distribution under this subsection shall be paid from funds credited under  
 12 subsection (1)(a) of this section.

13 **SECTION 3. The repeal of ORS 473.190 by section 1 of this 2015 Act and the amendments**  
 14 **to ORS 471.810 by section 2 of this 2015 Act apply to alcoholic beverages manufactured or**  
 15 **imported after the effective date of this 2015 Act.**

16 **SECTION 4. This 2015 Act takes effect on the 91st day after the date on which the 2015**  
 17 **regular session of the Seventy-eighth Legislative Assembly adjourns sine die.**

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