

**PROPOSED AMENDMENTS TO  
SENATE BILL 623**

1 On page 1 of the printed bill, delete lines 4 through 31 and delete page  
2 2 and insert:

3 **SECTION 1.** ORS 471.223 is amended to read:

4 “471.223. (1) As used in this section, ‘control’ means that the licensee:

5 “(a) Owns the brand under which the wine or cider is labeled; or

6 “(b) Performs or has the legal right to perform all of the acts common to  
7 a brand owner under the terms of a trademark license or similar agreement  
8 that for the brand under which the wine or cider is labeled has a term of  
9 at least three years.

10 “(2) A winery license shall allow the licensee:

11 “(a) To import wine or cider in containers that have a capacity of more  
12 than four liters.

13 “(b) To import wine or cider in containers that have a capacity of four  
14 liters or less if the brand of wine or cider is under the control of the  
15 licensee.

16 “(c) To bottle, produce, blend, store, transport or export wines or cider.

17 “(d) To sell wines or cider at wholesale to the Oregon Liquor Control  
18 Commission or to licensees of the commission.

19 “(e) To sell wines or cider at retail directly to the consumer for con-  
20 sumption on or off the licensed premises.

21 “(f) To sell malt beverages at retail for consumption on or off the licensed  
22 premises.

1 “(g) To sell for consumption off the premises malt beverages, wines and  
2 cider in securely covered containers supplied by the consumer and having  
3 capacities of not more than two gallons each.

4 “(h) To conduct any activities described in paragraphs (a) to (g) of this  
5 subsection at a second or third premises as may be designated by the com-  
6 mission.

7 “(i) To purchase from or through the commission brandy or other distilled  
8 liquors for fortifying wines.

9 “(j) To obtain a special events winery license that shall entitle the holder  
10 to conduct the activities allowed under paragraphs (e) to (g) of this sub-  
11 section at a designated location other than the one set forth in the winery  
12 license for a period not to exceed five days.

13 “(3) A winery licensee shall allow a patron to remove a partially con-  
14 sumed bottle of wine from the licensed premises if the patron is not a minor  
15 and the patron is not visibly intoxicated.

16 “(4) In order to hold a winery license the licensee shall:

17 “(a) Possess at a bonded premises within Oregon a valid producer and  
18 blender basic permit issued by the federal Alcohol and Tobacco Tax and  
19 Trade Bureau; or

20 “(b) Possess a valid wine blender or valid wholesaler basic permit issued  
21 by the federal Alcohol and Tobacco Tax and Trade Bureau and have a writ-  
22 ten contract with a winery licensed under paragraph (a) of this subsection  
23 that authorizes the winery to produce for the licensee a brand of wine or  
24 cider that is under the control of the licensee.

25 “(5) A winery licensee may sell and ship wine or cider directly to a resi-  
26 dent of this state only if the licensee has a direct shipper permit issued under  
27 ORS 471.282.

28 “(6)(a) Except as provided in paragraph (b) of this subsection, a winery  
29 licensee, or any person having an interest in the licensee, may also hold a  
30 full on-premises sales license. *[If a person holds both a winery license and a*

1 *full on-premises sales license, nothing in this chapter shall prevent the sale*  
2 *by the licensee of both distilled liquor and wine or cider bottled and produced*  
3 *under the winery license.] If a winery licensee, or a person having an*  
4 **interest in the licensee, also holds a full on-premises sales license, the**  
5 **provisions of this chapter do not prevent the licensee or person from**  
6 **both selling wine or cider bottled and produced under the winery li-**  
7 **cence and selling alcoholic liquor as authorized under the full on-**  
8 **premises sales license.**

9 “(b) The commission may not issue a full on-premises sales license to a  
10 winery licensee under the provisions of this subsection if the winery licensee,  
11 or any person having an interest in the licensee or exercising control over  
12 the licensee, is a brewery that brews more than 200,000 barrels of malt  
13 beverages annually [*or a winery that produces more than 200,000 gallons of*  
14 *wine or cider annually*].

15 “(7) More than one winery licensee may exercise the privileges of a  
16 winery license at a single location. The commission may not refuse to issue  
17 a winery license to a person for the production of wine or cider on specified  
18 premises based on the fact that other winery licensees also produce wine or  
19 cider on those premises.

20 “(8) If a winery licensee does not possess at a bonded premises within  
21 Oregon a valid producer and blender basic permit issued by the federal Al-  
22 cohol and Tobacco Tax and Trade Bureau, the licensee may exercise the  
23 privileges described in this section only for wine and cider brands that are  
24 under the control of the licensee.”.

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