

HB 2334 STAFF MEASURE SUMMARY
House Committee On Economic Development

Carrier: Rep. Stark

Action Date: 03/04/19
Action: Do Pass.
Vote: 10-0-1-0
Yeas: 10 - Barreto, Bonham, Drazan, Fahey, Helm, Lively, Marsh, McLain, Wallan, Witt
Exc: 1 - McKeown
Fiscal: No fiscal impact
Revenue: No revenue impact
Prepared By: Melissa Leoni, LPRO Analyst
Meeting Dates: 2/25, 3/4

WHAT THE MEASURE DOES:

Designates violation of the Oregon Liquor Control Commission alcohol service permit requirements by a licensee or permittee a Class B violation.

ISSUES DISCUSSED:

- Differences between Class A and Class B violations
- Service permit violations primarily result in fines
- Tracking of licensee and permittee violations

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Oregon Liquor Control Commission (OLCC) oversees the sale of alcoholic beverages and recreational marijuana to allow access to responsible adults while protecting Oregon’s public health, safety, and community livability. The OLCC advocates responsible alcohol consumption by managing and distributing distilled spirits, licensing and regulating businesses that sell and serve alcohol (licensees), and training and issuing permits for alcohol servers (permittees).

In 2017, the OLCC issued 14,085 in-state and 3,846 out-of-state licenses for the purposes of manufacturing, storing, distributing, and retailing distilled spirits, wine and cider, and malt beverages. The OLCC also issues licenses for alcohol sales at special events and permits for serving alcoholic beverages. A license may be suspended or revoked, or a licensee fined for actions such as selling alcohol to minors or visibly intoxicated patrons or for a history of serious and persistent problems involving disturbances, unlawful activities, or noise, on either the premises or involving patrons in the immediate vicinity of the premises.

Service permits are required for servers (i.e., wait staff or bartenders) who work for a business that allows customers to drink alcohol on the premises; managers who directly supervise servers who mix, serve, or sell alcohol to customers for drinking on their premises; owners who mix, serve, or sell alcohol, or manage services at such establishments; and any person who fills growlers or other to-go containers. There are more than 165,000 active service permit holders in Oregon. Alcohol server permits are valid for five years.

The presumptive fine for a Class B violation is \$265, with a minimum fine of \$135 and a maximum fine of \$1,000. House Bill 2334 makes violations of the OLCC service permit requirements by a licensee or permittee a Class B violation.