

A-Engrossed
Senate Bill 522

Ordered by the Senate April 12
Including Senate Amendments dated April 12

Sponsored by Senator JOHNSON (Presession filed.)

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.

Prohibits person from, **with intent to defraud**, [*intentionally*] returning for refund value during one day [25] **50** or more individual beverage containers that person knows [*or has good reason to know*] were not sold in this state.

Punishes violation by maximum fine of \$250.

A BILL FOR AN ACT

1
2 Relating to beverage containers; creating new provisions; and amending ORS 459.992.

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

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 459A.700 to**
5 **459A.740.**

6 **SECTION 2. A person may not, with the intent to defraud, return for the refund value**
7 **specified in ORS 459A.705 during one day 50 or more individual beverage containers that the**
8 **person knows were not sold in this state.**

9 **SECTION 3. ORS 459.992 is amended to read:**

10 459.992. (1) The following are Class A misdemeanors:

11 (a) Violation of rules or ordinances adopted under ORS 459.005 to 459.105 and 459.205 to 459.385.

12 (b) Violation of ORS 459.205.

13 (c) Violation of ORS 459.270.

14 (d) Violation of ORS 459A.080.

15 (e) Violation of ORS 459.272.

16 (2) Each day a violation referred to by subsection (1) of this section continues constitutes a
17 separate offense. [*Such*] **The** separate offenses may be joined in one indictment or complaint or in-
18 formation in several counts.

19 (3) Violation of ORS 459A.705, 459A.710, 459A.718 (5) or 459A.720 is a Class A misdemeanor.

20 **(4) Violation of section 2 of this 2019 Act is a Class D violation. Each day that a violation**
21 **referred to in this subsection occurs is a separate offense. The separate offenses may be**
22 **joined in one indictment or complaint or information in several counts.**

23 [(4)] **(5)** In addition to the penalty prescribed by subsection (3) of this section, the Oregon Liquor
24 Control Commission or the State Department of Agriculture may revoke or suspend the license of
25 any person who willfully violates ORS 459A.705, 459A.710, 459A.718 (5) or 459A.720, who is required
26 by ORS chapter 471 or 635, respectively, to have a license.
27

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.