

**Enrolled**  
**Senate Bill 522**

Sponsored by Senator JOHNSON, Representative RESCHKE; Representative FINDLEY (Pre-session filed.)

CHAPTER .....

AN ACT

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

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

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

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

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

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

- (a) Violation of rules or ordinances adopted under ORS 459.005 to 459.105 and 459.205 to 459.385.
- (b) Violation of ORS 459.205.
- (c) Violation of ORS 459.270.
- (d) Violation of ORS 459A.080.
- (e) Violation of ORS 459.272.

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

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

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

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

**Passed by Senate April 16, 2019**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House May 30, 2019**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M,....., 2019

**Approved:**

.....M,....., 2019

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2019

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Bev Clarno, Secretary of State