

House Bill 4006

Sponsored by Representative BARKER (Pre-session 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 **as introduced**.

Changes period for which alcohol manufacturer or wholesaler may lease or furnish equipment to retail licensee for special event.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to exceptions to financial assistance prohibitions in the alcohol industry; amending ORS
3 471.400; and declaring an emergency.

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

5 **SECTION 1.** ORS 471.400 is amended to read:

6 471.400. (1) Notwithstanding ORS 471.394 and 471.398, a manufacturer or wholesaler may lease
7 or furnish picnic pumps, cold plates, tubs, refrigerated trailers, refrigerated vans and refrigerated
8 draft systems to a retail licensee if the equipment is leased or furnished for a special event, if a
9 reasonable rental or service fee is charged for the equipment and, **except as provided in this**
10 **subsection**, if the period that the equipment is leased or furnished does not exceed [10] 14 days.

11 **The maximum period for which equipment may be leased or furnished under this subsection**
12 **may be extended by periods that are reasonable for the equipment to be set up at or removed**
13 **from the site of the special event.**

14 (2) Notwithstanding ORS 471.394 and 471.398, the Oregon Liquor Control Commission may
15 specify by rule the manner and circumstances under which a manufacturer or wholesaler may pro-
16 vide products and services to a nonprofit special licensee.

17 (3)(a) Notwithstanding ORS 471.394 and 471.398, the commission shall allow the sale of nonal-
18 coholic products in the manner in which the nonalcoholic product is sold by a manufacturer or
19 wholesaler not licensed by the commission. The commission may limit merchandising practices in-
20 volving nonalcoholic products if the commission finds that the limitations are necessary to prevent
21 abuses of ORS 471.394 and 471.398 by the industry as a whole.

22 (b) Any fixtures, equipment or furnishings provided by a manufacturer or wholesaler in
23 furtherance of the sale of nonalcoholic products may not be used by the retail licensee to store,
24 service, display, advertise, furnish or sell, or aid in the sale of, alcoholic products regulated by the
25 commission. All such fixtures, equipment or furnishings must be identified by the retail licensee as
26 being furnished by a licensed manufacturer or wholesaler.

27 **SECTION 2.** **This 2020 Act being necessary for the immediate preservation of the public**
28 **peace, health and safety, an emergency is declared to exist, and this 2020 Act takes effect**
29 **on its passage.**

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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.