

D R A F T

SUMMARY

Modifies 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

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

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

SECTION 1. ORS 471.400 is amended to read:

471.400. (1)(a) Notwithstanding ORS 471.394 and 471.398, a manufacturer or wholesaler may lease or furnish picnic pumps, cold plates, tubs, refrigerated trailers, refrigerated vans and refrigerated draft systems to a retail licensee if:

(A) The equipment is leased or furnished for a special event[, *if*];

(B) A reasonable rental or service fee is charged for the equipment; and
[*if*]

(C) **Except as provided in paragraph (b) of this subsection**, the period that the equipment is leased or furnished does not exceed [10] 14 days.

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

(2) Notwithstanding ORS 471.394 and 471.398, the Oregon Liquor Control Commission may specify by rule the manner and circumstances under which

1 a manufacturer or wholesaler may provide products and services to a
2 nonprofit special licensee.

3 (3)(a) Notwithstanding ORS 471.394 and 471.398, the commission shall al-
4 low the sale of nonalcoholic products in the manner in which the nonalco-
5 holic product is sold by a manufacturer or wholesaler not licensed by the
6 commission. The commission may limit merchandising practices involving
7 nonalcoholic products if the commission finds that the limitations are nec-
8 essary to prevent abuses of ORS 471.394 and 471.398 by the industry as a
9 whole.

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

16 **SECTION 2. This 2021 Act being necessary for the immediate pres-**
17 **ervation of the public peace, health and safety, an emergency is de-**
18 **clared to exist, and this 2021 Act takes effect on its passage.**

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