Enrolled Senate Bill 750

Sponsored by Senator FREDERICK; Senator MANNING JR, Representative WILDE (at the request of Oregon Liquor Control Commission)

CHAPTER .................................................

AN ACT

Relating to the Oregon Liquor Control Commission; amending ORS 471.294 and 471.297; and repealing ORS 471.302.

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

SECTION 1, ORS 471.294 is amended to read:

471.294. (1) Except as otherwise provided in this section, all licenses issued under this chapter and renewals of licenses issued under this chapter must be issued for a period of one year that expires at 12 midnight on March 31, June 30, September 30 or December 31 of each year.

(2) Notwithstanding subsection (1) of this section, a license issued for the first time to an applicant may be issued for less than a year. The fee for a license issued for less than a year under this subsection is the annual license fee prescribed by ORS 471.311.

(3)(a) Subject to ORS 471.297, the term of a temporary letter of authority or license issued under ORS 471.302 or any temporary sales license ORS 471.297 is the period fixed by the Oregon Liquor Control Commission when the temporary letter of authority or license is issued.

(b) The term of a temporary sales license issued under ORS 471.190 is the period fixed by the commission when the temporary sales license is issued.

SECTION 2, ORS 471.297 is amended to read:

471.297. (1)(a) The Oregon Liquor Control Commission may grant a temporary letter of authority for a period not to exceed 180 days to an applicant for a license issued under this chapter if the applicant meets the eligibility requirements established by the commission by rule and pays the fee prescribed by the commission for a temporary letter of authority. [The administrator appointed by the commission under ORS 471.720 may extend a temporary letter of authority granted under the provisions of this section for a period not to exceed 30 days if the commission has not granted or denied the application at the end of the 90-day period.]

(b) A temporary letter of authority issued under this section does not constitute a license for the purposes of ORS chapter 183.

(2) The commission may at any time, summarily and without prior administrative proceedings, refuse to issue or revoke a temporary letter of authority if the commission reasonably believes that any of the grounds for refusing a license under ORS 471.313 or canceling or suspending a license under ORS 471.315 exist.
(3) A person subject to subsection (2) of this section shall be given an interview under the direction of the commission if the person requests an interview prior to revocation of a temporary letter of authority. However, the proceedings are not a contested case under ORS chapter 183.

(3) The refusal to issue or the revocation of a temporary letter of authority under subsection (2) of this section is not a contested case under ORS chapter 183.

SECTION 3. ORS 471.302 is repealed.