

# Senate Bill 750

Sponsored by Senator FREDERICK (at the request of Oregon Liquor Control Commission)

## 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**.

Authorizes Oregon Liquor Control Commission to grant temporary letter of authority to eligible applicant for any license issued by commission. Specifies that temporary letter of authority may be valid for up to 180 days.

## A BILL FOR AN ACT

1  
2 Relating to the Oregon Liquor Control Commission; amending ORS 471.294 and 471.297; and repeal-  
3 ing ORS 471.302.

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

5 **SECTION 1.** ORS 471.294 is amended to read:

6 471.294. (1) Except as otherwise provided in this section, all licenses **issued** under this chapter  
7 and renewals [*thereof shall*] **of licenses issued under this chapter must** be issued for a period of  
8 one year [*which shall expire*] **that expires** at 12 midnight on March 31, June 30, September 30 or  
9 December 31 of each year.

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

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

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

18 **SECTION 2.** ORS 471.297 is amended to read:

19 471.297. (1)(a) The Oregon Liquor Control Commission may grant a temporary letter of authority  
20 for a period not to exceed [*90 days on change of ownership applications for licenses granted under this*  
21 *chapter*] **180 days to an applicant for a license issued under this chapter** if the applicant **meets**  
22 **the eligibility requirements established by the commission by rule and** pays the fee prescribed  
23 by the commission for a temporary letter of authority. [*The administrator appointed by the commis-*  
24 *sion under ORS 471.720 may extend a temporary letter of authority granted under the provisions of this*  
25 *section for a period not to exceed 30 days if the commission has not granted or denied the application*  
26 *at the end of the 90-day period.*]

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

29 (2) The commission **may at any time**, summarily and without prior administrative proceedings  
30 [*may*], **refuse to issue or** revoke a temporary letter of authority [*any time*] if the commission  
31 [*finds*] **reasonably believes** that any of the grounds for refusing a license under ORS 471.313 or

**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.

1 canceling or suspending a license under ORS 471.315 exist.

2 *[(3) A person subject to subsection (2) of this section shall be given an interview under the direction*  
3 *of the commission if the person requests an interview prior to revocation of a temporary letter of au-*  
4 *thority. However, the proceedings are not a contested case under ORS chapter 183.]*

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

7 **SECTION 3. ORS 471.302 is repealed.**

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