

Requested by Representative SALINAS

**PROPOSED AMENDMENTS TO
HOUSE BILL 2363**

1 On page 1 of the printed bill, line 2, delete “and prescrib-” and delete line
2 3 and insert “and declaring an emergency.”.

3 Delete lines 5 through 31 and delete page 2 and insert:

4 **“SECTION 1.** ORS 471.190 is amended to read:

5 “471.190. (1) The holder of a temporary sales license may:

6 “(a) Sell at retail by the drink wine, malt beverages, cider and distilled
7 liquor.

8 “(b) Sell for consumption off the licensed premises wine, malt beverages
9 and cider in factory-sealed containers.

10 “(c) Sell for consumption off the licensed premises wine, malt beverages
11 and cider in securely covered containers supplied by the consumer and hav-
12 ing capacities of not more than two gallons each.

13 “(2) Distilled liquor served by the holder of a temporary sales license
14 must be purchased from a retail sales agent of the Oregon Liquor Control
15 Commission. The holder of a temporary sales license must provide food ser-
16 vice as required by commission rule.

17 “(3) A temporary sales license may be issued only to:

18 “(a) Nonprofit or charitable organizations that are registered with the
19 state.

20 “(b) A political committee that has filed a statement of organization un-
21 der ORS 260.039 or 260.042.

1 “(c) State agencies.

2 “(d) Local governments, and agencies and departments of local govern-
3 ments.

4 “(e) Persons not otherwise described in this subsection, as long as the
5 applicant submits a plan that is approved by the commission detailing how
6 minors will be prevented from gaining access to alcoholic beverages and how
7 minors will be prevented from gaining access to any portion of the licensed
8 premises prohibited to minors under ORS 471.430 (3) or any rule adopted by
9 the commission.

10 “(4) The commission may by rule establish additional eligibility require-
11 ments for temporary sales licenses.

12 “(5) Subject to such qualifications as the commission may establish by
13 rule, persons who hold a full or limited on-premises sales license are eligible
14 for temporary sales licenses.

15 **“(6) A temporary sales license issued to a person described in sub-**
16 **section (3)(a), (c) or (d) of this section authorizes the holder of the**
17 **temporary sales license to:**

18 **“(a)(A)(i) Have on a single licensed premises more than one location**
19 **at which wine, malt beverages or cider is sold at retail by the drink**
20 **or for consumption off the licensed premises; and**

21 **“(ii) Have on a single licensed premises more than one location at**
22 **which wine, malt beverages, cider or distilled liquor is sold at retail**
23 **by the drink; or**

24 **“(B) Have up to three separate premises in this state licensed under**
25 **the temporary sales license at which wine, malt beverages or cider is**
26 **sold for consumption off the licensed premises; and**

27 **“(b) Operate for up to 30 days, whether or not the days are con-**
28 **secutive.**

29 **“(7) The commission may adopt rules to carry out subsection (6) of**
30 **this section.**

1 “[6] (8) A person holding a temporary sales license is not required to
2 obtain an intermittent temporary restaurant, seasonal temporary restaurant,
3 single-event temporary restaurant license or mobile unit license under ORS
4 chapter 624 if only wine, malt beverages and cider in single-service contain-
5 ers are served and only nonperishable food items that are exempted from
6 licensure by the Oregon Health Authority are served.

7 “[7] (9) Employees and volunteers serving alcoholic beverages for a
8 nonprofit or charitable organization licensed under this section are not re-
9 quired to have service permits or to complete an alcohol server education
10 program and examination under ORS 471.542. The commission by rule may
11 establish education requirements for servers described in this subsection.

12 “[8] (10) Notwithstanding ORS 471.392 to 471.400, a temporary sales li-
13 cense may be issued to a nonprofit trade association that has a membership
14 primarily composed of persons that hold winery licenses issued under ORS
15 471.223 or grower sales privilege licenses issued under ORS 471.227.

16 **“SECTION 2. The amendments to ORS 471.190 by section 1 of this**
17 **2021 Act apply to temporary sales licenses issued on or after January**
18 **1, 2021.**

19 **“SECTION 3. This 2021 Act being necessary for the immediate**
20 **preservation of the public peace, health and safety, an emergency is**
21 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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