

DRAFT

SUMMARY

Digest: This Act makes two new kinds of redemption centers and makes other changes to the Bottle Bill. (Flesch Readability Score: 75.1).

Modifies provisions of the beverage container redemption and recycling law. Authorizes establishment of alternative access redemption centers and producer responsibility organization depot redemption centers.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to beverage containers; creating new provisions; amending ORS
3 459A.700, 459A.715, 459A.720, 459A.735, 459A.738, 459A.741 and 459A.863;
4 and prescribing an effective date.

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

6 **SECTION 1. Sections 2 to 4 of this 2025 Act are added to and made**
7 **a part of ORS 459A.700 to 459A.744.**

8 **SECTION 2. (1) To expand and enhance alternative redemption ac-**
9 **cess opportunities for individuals who redeem empty beverage con-**
10 **tainers on a daily or near daily basis, the Oregon Liquor and Cannabis**
11 **Commission may approve one or more alternative access redemption**
12 **centers at which any person may return empty beverage containers**
13 **and receive payment of the refund value. An alternative access re-**
14 **demption center approved under this section must be:**

15 **(a) Established and operated by a nonprofit organization in part-**
16 **nership with a distributor cooperative; and**

17 **(b) Located within a city having a population greater than 500,000.**

18 **(2) Application for approval of an alternative access redemption**

1 center shall be filed with the commission. The application shall state
2 the name and address of the nonprofit organization and distributor
3 cooperative responsible for the establishment and operation of the al-
4 ternative access redemption center, the kind of empty beverage con-
5 tainers that will be accepted at the alternative access redemption
6 center, the names and addresses of the dealers to be served by the al-
7 ternative access redemption center and a proposal for the convenience
8 zone described in ORS 459A.738. The application shall include such
9 additional information as the commission may require.

10 (3) The commission shall approve an alternative access redemption
11 center if it finds the redemption center will provide alternative re-
12 demption access opportunities for individuals who redeem empty
13 beverage containers on a daily or near daily basis. The order of the
14 commission approving an alternative access redemption center shall
15 state:

16 (a) The location of the convenience zone specified by the commis-
17 sion under ORS 459A.738;

18 (b) The dealers within the convenience zone to be served by the al-
19 ternative access redemption center;

20 (c) The dealers within the convenience zone not to be served by or
21 not participating in the alternative access redemption center;

22 (d) The services to be provided by the alternative access redemption
23 center and the equivalent services required to be provided under ORS
24 459A.738 by a dealer that does not participate in, and is not served by,
25 the alternative access redemption center;

26 (e) The kind of empty beverage containers that the alternative ac-
27 cess redemption center must accept;

28 (f) Whether the alternative access redemption center will be located
29 in an area zoned for commercial use under state statute or local or-
30 dinance or will be located in an area that will provide better access to
31 redemption opportunities for individuals who redeem empty beverage

1 **containers on a daily or near daily basis than plausible alternative lo-**
2 **cations located in an area zoned for commercial use; and**

3 **(g) Such other provisions to ensure that the alternative access re-**
4 **demption center will provide alternative redemption access opportu-**
5 **nities for individuals who redeem empty beverage containers on a daily**
6 **or near daily basis.**

7 **(4) An alternative access redemption center approved by the com-**
8 **mission under this section is not a recycling depot for purposes of ORS**
9 **90.318, 459A.007, 459A.010, 459A.050 or 459A.080.**

10 **(5)(a) No later than five days after approving an alternative access**
11 **redemption center under subsection (3) of this section, the commission**
12 **shall provide written notice to each dealer that is identified in the**
13 **order approving the alternative access redemption center as a dealer**
14 **within the convenience zone not to be served by or not participating**
15 **in the alternative access redemption center.**

16 **(b) The notice required under this subsection shall include:**

17 **(A) All information required to be in the order approving the al-**
18 **ternative access redemption center under subsection (3) of this sec-**
19 **tion; and**

20 **(B) Notice of the provisions of ORS 459A.738 that are applicable to**
21 **the dealer receiving the notice.**

22 **(6) The commission may review at any time approval of an alter-**
23 **native access redemption center. After written notice to the persons**
24 **responsible for the establishment and operation of the alternative ac-**
25 **cess redemption center, and to the dealers served by the alternative**
26 **access redemption center, the commission may, after hearing, with-**
27 **draw approval of an alternative access redemption center if the com-**
28 **mission finds there has not been compliance with its order approving**
29 **the alternative access redemption center, or if the alternative access**
30 **redemption center no longer provides alternative redemption access**
31 **opportunities for individuals who redeem empty beverage containers**

1 on a daily or near daily basis.

2 **SECTION 3.** (1) As used in this section, “covered product,” “pro-
3 ducer responsibility organization” and “recycling depot” have the
4 meanings given those terms in ORS 459A.863.

5 (2)(a) Subject to the approval of the Oregon Liquor and Cannabis
6 Commission, one or more dealers may establish a producer responsi-
7 bility organization depot redemption center at any recycling depot or
8 drop off center where a producer responsibility organization directly
9 or indirectly provides for the collection of covered products to satisfy
10 the requirements of ORS 459A.896.

11 (b) The dealer or dealers that establish the producer responsibility
12 organization depot redemption center:

13 (A) Must secure any necessary agreements to establish the producer
14 responsibility organization depot redemption center at that site from
15 the owner or operator of the recycling depot or drop off center; and

16 (B) May contract with the owner or operator of the recycling depot
17 or drop off center to provide the beverage container return services
18 described in this section.

19 (3) Notwithstanding any other provision of ORS 459A.700 to
20 459A.744, a producer responsibility organization depot redemption cen-
21 ter must:

22 (a) Provide secure drop off service for empty beverage containers
23 to be returned by any person for the refund value established by ORS
24 459A.705 in a bag or other bulk return container sold for that purpose;

25 (b) Provide an accounting mechanism by which a person may re-
26 deem the refund value of beverage containers returned in bulk no later
27 than one week after the beverage containers are dropped off at the
28 producer responsibility organization depot redemption center;

29 (c) Be serviced by a distributor cooperative for purposes of trans-
30 porting and processing redeemed beverage containers; and

31 (d) Be available for persons to return beverage containers to the

1 **producer responsibility organization depot redemption center during**
2 **any time that the recycling depot or drop off center is otherwise open**
3 **to the public.**

4 **(4) A producer responsibility organization depot redemption center**
5 **may provide services other than those specified in subsection (3) of**
6 **this section as determined necessary by the dealer or dealers that es-**
7 **tablish the redemption center.**

8 **(5) A distributor cooperative that services producer responsibility**
9 **organization depot redemption centers shall:**

10 **(a) Provide notice to the commission no later than 14 days after the**
11 **date that a producer responsibility organization depot redemption**
12 **center:**

13 **(A) Begins providing drop off service to persons for the return of**
14 **empty beverage containers; or**

15 **(B) Ceases operations; and**

16 **(b) Annually provide to the commission the names and addresses**
17 **of the dealers served by all producer responsibility organization depot**
18 **redemption centers serviced by the distributor cooperative, and such**
19 **additional information as the commission may require.**

20 **(6) A dealer that participates in, is served by and pays the cost of**
21 **participation in a producer responsibility organization depot redemp-**
22 **tion center may, notwithstanding any other provision of ORS 459A.700**
23 **to 459A.744, refuse to accept and to pay the refund value of empty**
24 **beverage containers.**

25 **(7) The commission shall specify a convenience zone for each pro-**
26 **ducer responsibility organization depot redemption center. In specify-**
27 **ing the convenience zone, the commission shall take into account the**
28 **convenience standards adopted by the Environmental Quality Com-**
29 **mission under ORS 459A.914. Any dealer doing business within a pro-**
30 **ducer responsibility organization depot redemption center convenience**
31 **zone may participate in, be served by and pay the cost of participation**

1 **in the producer responsibility organization depot redemption center**
2 **and receive the benefit provided for in subsection (6) of this section.**

3 **SECTION 4. The Oregon Liquor and Cannabis Commission shall**
4 **establish by rule standards for periods of time during which a dealer**
5 **redemption center may, notwithstanding any provision of ORS**
6 **459A.700 to 459A.744, temporarily refuse to accept and to pay the re-**
7 **fund value of empty beverage containers in order to provide for:**

8 **(1) The sanitation of the redemption center; or**

9 **(2) The safety of a dealer’s employees or the public.**

10 **SECTION 5. ORS 459A.700 is amended to read:**

11 459A.700. As used in ORS [*459.992 (3) and (4) and*] 459A.700 to 459A.744,
12 unless the context requires otherwise:

13 **(1) “Alternative access redemption center” means a redemption**
14 **center that meets the requirements of section 2 of this 2025 Act.**

15 [(1)] **(2) “Beverage” means a fluid described in ORS 459A.702.**

16 [(2)] **(3) “Beverage container” means a container described in ORS**
17 **459A.702.**

18 [(3)] **(4) “Commission” means the Oregon Liquor and Cannabis Commis-**
19 **sion.**

20 [(4)] **(5) “Consumer” means every person who purchases a beverage in a**
21 **beverage container for use or consumption.**

22 [(5)] **(6) “Dealer” means every person in this state who engages in the sale**
23 **of beverages in beverage containers to a consumer, or means a full-service**
24 **redemption center approved under ORS 459A.735.**

25 [(6)] **(7) “Dealer redemption center” means a location that meets the re-**
26 **quirements of ORS 459A.741, at which any person may return empty beverage**
27 **containers and [*receive payment of*] **access the refund value of the beverage**
28 **containers through an accounting mechanism that makes the refund**
29 **value available no later than one week after the person drops off the**
30 **beverage containers.****

31 [(7)] **(8) “Distributor” means every person who engages in the sale of**

1 beverages in beverage containers to a dealer in this state including any
2 manufacturer who engages in such sales.

3 [(8)] (9) “Full-service redemption center” means a location that meets the
4 requirements of ORS 459A.737, at which any person may return empty
5 beverage containers and receive payment of the refund value of the beverage
6 containers.

7 [(9)] (10) “Hard seltzer” means any sugar-based alcoholic beverage that
8 contains carbonated water or any malt-based alcoholic beverage that con-
9 tains carbonated water and is not a malt beverage, as defined in ORS 471.001.

10 [(10)] (11) “Importer” means any dealer or manufacturer who directly im-
11 ports beverage containers into this state.

12 [(11)] (12) “In this state” means within the exterior limits of the State of
13 Oregon and includes all territory within these limits owned by or ceded to
14 the United States of America.

15 [(12)] (13) “Kombucha” means a fermented beverage that is made from tea
16 and contains not more than 21 percent of alcohol by volume.

17 [(13)] (14) “Manufacturer” means every person bottling, canning or oth-
18 erwise filling beverage containers for sale to distributors, importers or deal-
19 ers.

20 [(14)] (15) “Place of business of a dealer” means the location at which a
21 dealer sells or offers for sale beverages in beverage containers to consumers.

22 (16) **“Producer responsibility organization depot redemption**
23 **center” means a redemption center that meets the requirements of**
24 **section 3 of this 2025 Act.**

25 [(15)] (17) “Redemption center” means a full-service redemption center,
26 [or] a dealer redemption center, **an alternative access redemption center**
27 **or a producer responsibility organization depot redemption center.**

28 [(16)] (18) “Use or consumption” includes the exercise of any right or
29 power over a beverage incident to the ownership thereof, other than the sale
30 or the keeping or retention of a beverage for the purposes of sale.

31 [(17)] (19) “Water and flavored water” means any beverage identified

1 through the use of letters, words or symbols on its product label as a type
2 of water.

3 [(18)] (20) “Wine” has the meaning given that term in ORS 471.001, except
4 that “wine” does not mean hard seltzer or kombucha.

5 **SECTION 6.** ORS 459A.715 is amended to read:

6 459A.715. (1) A dealer may refuse to accept from any person, and a dis-
7 tributor or importer may refuse to accept from a dealer, any empty beverage
8 container that does not state thereon a refund value as established by ORS
9 459A.705.

10 (2) A dealer may refuse to accept and to pay the refund value of:

11 (a) Empty beverage containers if the place of business of the dealer and
12 the kind of empty beverage containers are included in an order of the Oregon
13 Liquor and Cannabis Commission approving a full-service redemption center
14 under ORS 459A.735.

15 **(b) Empty beverage containers, if the dealer participates in, is**
16 **served by and pays the cost of participation in a dealer redemption**
17 **center, alternative access redemption center or a producer responsi-**
18 **bility organization depot redemption center.**

19 [(b)] (c) Any beverage container visibly containing or contaminated by a
20 substance other than water, residue of the original contents or ordinary dust.

21 [(c)(A)] (d)(A) More than 144 individual beverage containers returned by
22 any one person during one day, if the dealer occupies a space of 5,000 or
23 more square feet in a single area.

24 (B) More than 50 individual beverage containers returned by any one
25 person during one day, if the dealer occupies a space of less than 5,000
26 square feet in a single area.

27 [(d)] (e) Any beverage container that is damaged to the extent that the
28 brand appearing on the container cannot be identified.

29 (3) The commission shall develop and provide to dealers notices that de-
30 scribe the reasons a dealer may refuse to accept and to pay the refund value
31 for empty beverage containers under subsection (2) of this section. The no-

1 tices may contain additional information as determined by the commission.

2 (4) A dealer must post in each area where beverage containers are re-
3 ceived a notice provided to the dealer under subsection (3) of this section.

4 **SECTION 7.** ORS 459A.735 is amended to read:

5 459A.735. (1) To facilitate the return of empty beverage containers and to
6 serve dealers of beverages, any person may establish a full-service redemp-
7 tion center, subject to the approval of the Oregon Liquor and Cannabis
8 Commission, at which any person may return empty beverage containers and
9 receive payment of the refund value of such beverage containers.

10 (2) Application for approval of a full-service redemption center shall be
11 filed with the commission. The application shall state the name and address
12 of the person responsible for the establishment and operation of the full-
13 service redemption center, the kind of beverage containers that will be ac-
14 cepted at the full-service redemption center, the names and addresses of the
15 dealers to be served by the full-service redemption center and proposals for
16 [up to two] a convenience [zones] **zone** described in ORS 459A.738. The ap-
17 plication shall include such additional information as the commission may
18 require.

19 (3) The commission shall approve a full-service redemption center if it
20 finds the redemption center will provide a convenient service to persons for
21 the return of empty beverage containers. The order of the commission ap-
22 proving a full-service redemption center shall state:

23 (a) The location of the convenience [zones] **zone** specified by the com-
24 mission under ORS 459A.738 [(1)];

25 (b) The dealers within the convenience [zones] **zone** to be served by the
26 full-service redemption center;

27 (c) The dealers within the convenience [zones] **zone** not to be served by
28 or not participating in the full-service redemption center;

29 (d) The services to be provided by the redemption center and the equiv-
30 alent services required to be provided under ORS 459A.738 [(5)] by a dealer
31 that does not participate in, and is not served by, the full-service redemption

1 center;

2 (e) The kind of empty beverage containers that the full-service redemption
3 center must accept;

4 (f) Whether the full-service redemption center will be located in an area
5 zoned for commercial use under state statute or local ordinance or will be
6 located in an area that will provide more convenient service given the
7 proximity of the location to the dealers within the convenience [zones] **zone**
8 to be served by the full-service redemption center; and

9 (g) Such other provisions to ensure that the full-service redemption center
10 will provide a convenient service to the public as the commission may de-
11 termine.

12 (4) A full-service redemption center approved by the commission under
13 this section is not a recycling depot for purposes of ORS 90.318, 459A.007,
14 459A.010, 459A.050 or 459A.080.

15 (5)(a) No later than five days after approving a full-service redemption
16 center under subsection (3) of this section, the commission shall provide
17 written notice to each dealer that is identified in the order approving the
18 full-service redemption center as a dealer within the convenience [zones]
19 **zone** not to be served by or not participating in the full-service redemption
20 center.

21 (b) The notice required under this subsection shall include:

22 (A) All information required to be in the order approving the full-service
23 redemption center under subsection (3) of this section; and

24 (B) Notice of the provisions of ORS 459A.738 that are applicable to the
25 dealer receiving the notice.

26 (6) The commission may review at any time approval of a full-service re-
27 demption center. After written notice to the person responsible for the es-
28 tablishment and operation of the full-service redemption center, and to the
29 dealers served by the full-service redemption center, the commission may,
30 after hearing, withdraw approval of a full-service redemption center if the
31 commission finds there has not been compliance with its order approving the

1 full-service redemption center, or if the full-service redemption center no
 2 longer provides a convenient service to the public.

3 **SECTION 8.** ORS 459A.738 is amended to read:

4 459A.738. (1) For each full-service redemption center **or alternative ac-**
 5 **cess redemption center**, the Oregon Liquor and Cannabis Commission shall
 6 specify [*up to two convenience zones*] **a convenience zone**. The [*first*] con-
 7 venience zone shall be the sector within a radius of not more than [*two miles*
 8 *around the full-service redemption center. The second convenience zone shall*
 9 *be the sector beginning at the border of the first convenience zone and contin-*
 10 *uing to a radius of not more than*] three and one-half miles around the [*full-*
 11 *service*] redemption center. The convenience [*zones*] **zone** shall be based to
 12 the greatest extent practicable upon the proposals submitted as part of the
 13 application for approval of the full-service redemption center under ORS
 14 459A.735 **or the alternative access redemption center under section 2**
 15 **of this 2025 Act.**

16 (2) All dealers doing business within [*the first*] **a** convenience zone that
 17 occupy a space of 5,000 or more square feet in a single area may participate
 18 in, be served by and be charged the cost of participation in the full-service
 19 redemption center **or alternative access redemption center** and, if such
 20 a dealer participates in, is served by and pays the cost of participation in the
 21 full-service redemption center **or alternative access redemption center**,
 22 the dealer may, notwithstanding any other provision of ORS 459A.700 to
 23 459A.744, refuse to accept and to pay the refund value of empty beverage
 24 containers.

25 [(3) *All dealers doing business within the second convenience zone that*
 26 *occupy a space of 5,000 or more square feet in a single area may participate*
 27 *in, be served by and be charged the cost of participation in the full-service*
 28 *redemption center and, if such a dealer participates in, is served by and pays*
 29 *the cost of participation in the full-service redemption center, the dealer may,*
 30 *notwithstanding any other provision of ORS 459A.700 to 459A.744, refuse to*
 31 *accept and to pay the refund value of more than 24 individual empty beverage*

1 *containers returned by any one person during one day.]*

2 [(4)] (3) All dealers doing business within [either] a convenience zone that
3 occupy a space of less than 5,000 square feet in a single area may, notwith-
4 standing any other provision of ORS 459A.700 to 459A.744, refuse to accept
5 and to pay the refund value of more than 24 individual empty beverage con-
6 tainers returned by any one person during one day.

7 [(5)(a)] (4)(a) Any dealer doing business within [either] a convenience
8 zone that occupies a space of 5,000 or more square feet in a single area that
9 does not participate in, and is not served by, the full-service redemption
10 center **or alternative access redemption center** may not refuse to accept
11 and to pay the refund value of up to 350 individual empty beverage con-
12 tainers, as established by ORS 459A.705, returned by any one person during
13 one day and must, beginning on the date that the full-service redemption
14 center **or alternative access redemption center** begins accepting beverage
15 containers, provide services equivalent to those provided by the redemption
16 center under ORS 459A.737 (2), including hand counting and drop off service.

17 (b) In addition to complying with the requirements specified in paragraph
18 (a) of this subsection, a dealer described in paragraph (a) of this subsection
19 must:

20 (A) Post in each area where beverage containers are received a clearly
21 visible and legible sign that contains the list of services that must be pro-
22 vided by the dealer; and

23 (B) Provide two automated reverse vending machines capable of process-
24 ing metal, plastic and glass beverage containers, or one automated reverse
25 vending machine capable of processing metal, plastic and glass beverage
26 containers for each 500,000 beverage containers sold by the dealer in the
27 previous calendar year, whichever is greater.

28 (c)(A) The provisions of paragraphs (a) and (b) of this subsection do not
29 apply to a dealer described in paragraph (a) of this subsection if the dealer
30 sold fewer than 100,000 beverage containers in the previous calendar year.
31 To be eligible for the exemption under this paragraph, a dealer described in

1 paragraph (a) of this subsection must report to the commission the number
2 of beverage containers sold by the dealer in the previous calendar year.

3 (B) The report required under this paragraph must be submitted by a
4 dealer:

5 (i) Except as provided in subsection [(6)] (5) of this section, no later than
6 60 days after issuance of the notice required under ORS 459A.735 (5); and

7 (ii) No later than January 1 of each calendar year following the year that
8 the notice under ORS 459A.735 (5) was issued and for which the dealer in-
9 tends to claim the exemption.

10 (d) The commission shall ensure compliance with this subsection by a
11 dealer described in paragraph (a) of this subsection that is not subject to an
12 exemption under paragraph (c) of this subsection.

13 [(6)] (5) A dealer that plans to begin doing business within [either] a
14 convenience zone after the date that the full-service redemption center **or**
15 **alternative access redemption center** associated with the convenience
16 zone begins accepting beverage containers shall, not less than 60 days prior
17 to the date that the dealer begins doing business:

18 (a) Provide notice to the commission explaining whether the dealer will
19 or will not participate in, be served by and pay the cost of participation in
20 the full-service redemption center **or alternative access redemption**
21 **center**; and

22 (b) If the dealer will not participate in the redemption center and will
23 claim an exemption under subsection [(5)(c)] (4)(c) of this section, provide
24 documentation of compliance with the requirements for nonparticipating
25 dealers under this section and an estimate of the number of beverage con-
26 tainers that the dealer expects to sell during the first calendar year that the
27 dealer does business within the convenience zone.

28 [(7)] (6) The provisions of subsections (2) to [(6)] (5) of this section do not
29 apply to any dealer for which the driving distance from the place of business
30 of the dealer to the full-service redemption center **or alternative access**
31 **redemption center**, calculated using the shortest route, is more than two

1 times the radius specified for the [second] convenience zone [or, if only one
2 convenience zone is specified by the commission, two times the radius specified
3 for that convenience zone].

4 [(8)] (7) Not more than 60 days after issuance of notice from the com-
5 mission under ORS 459A.735 (5), a dealer shall provide the commission with
6 written documentation confirming compliance with each of the requirements
7 of this section that are applicable to the dealer receiving notice.

8 **(8) No less than once every five years, the commission shall conduct**
9 **a review of each convenience zone. The review must include consul-**
10 **tation with:**

11 **(a) The distributor cooperative;**

12 **(b) Participating dealers within the convenience zone; and**

13 **(c) If the convenience zone has a radius of less than three and**
14 **one-half miles, dealers that would be within the convenience zone if**
15 **the radius of the convenience zone were extended to three and one-half**
16 **miles.**

17 **SECTION 9.** ORS 459A.741 is amended to read:

18 459A.741. (1) Any person may establish a dealer redemption center to
19 serve one or more dealers [*doing business in an area that is not part of a*
20 *convenience zone specified by the Oregon Liquor and Cannabis Commission*
21 *under ORS 459A.738*].

22 (2) Notwithstanding any other provision of ORS 459A.700 to 459A.744, a
23 dealer redemption center must:

24 (a) Provide secure drop off service [*at no charge*] for empty beverage
25 containers to be returned by any person for the refund value established by
26 ORS 459A.705 in a bag or other bulk return container sold for that purpose;

27 (b) Provide an accounting mechanism by which a person may redeem the
28 refund value of beverage containers returned in bulk [*either immediately in*
29 *cash from a dealer participating in the dealer redemption center or*] no later
30 than one week after the beverage containers are dropped off **at the dealer**
31 **redemption center;**

1 (c) Be serviced by a distributor cooperative for purposes of transporting
2 and processing redeemed beverage containers; **and**

3 (d) Be available for persons to return beverage containers to the dealer
4 redemption center during any time that a participating dealer is open be-
5 tween the hours of 8 a.m. and 8 p.m. [*; and*]

6 [*(e) Be of a sufficient capacity to provide convenient service to the public*
7 *as the commission may determine.*]

8 (3) A dealer redemption center may provide services other than those
9 specified in subsection (2) of this section as determined necessary by the
10 person responsible for operation of the dealer redemption center.

11 (4) A distributor cooperative that services dealer redemption centers
12 shall:

13 (a) Provide notice to the **Oregon Liquor and Cannabis** Commission no
14 later than 14 days after the date that a dealer redemption center:

15 (A) Begins providing drop off service to persons for the return of empty
16 beverage containers; or

17 (B) Ceases operations; and

18 (b) Annually provide to the commission the names and addresses of the
19 dealers served by all dealer redemption centers serviced by the distributor
20 cooperative, and such additional information as the commission may require.

21 (5)(a) A dealer that participates in, is served by and pays the cost of
22 participation in a dealer redemption center may, notwithstanding any other
23 provision of ORS 459A.700 to 459A.744, refuse to accept and to pay the refund
24 value of [*more than 24 individual*] empty beverage containers [*returned by*
25 *any one person during one day*].

26 (b) If a dealer redemption center is established in a city having a popu-
27 lation of less than [*10,000*] **50,000** people, the Oregon Liquor and Cannabis
28 Commission shall specify a dealer redemption center convenience zone. The
29 dealer redemption center convenience zone shall be the sector within a ra-
30 dius of not more than [*one mile*] **ten miles** around the dealer redemption
31 center. Any dealer doing business within a dealer redemption center con-

1 venience zone may participate in, be served by and pay the cost of partic-
2 ipation in the dealer redemption center and receive the benefit provided for
3 in paragraph (a) of this subsection.

4 **SECTION 10.** ORS 459A.720 is amended to read:

5 459A.720. (1) Every beverage container sold or offered for sale in this
6 state by a dealer shall clearly indicate by embossing or by a stamp, or by a
7 label or other method securely affixed to the beverage container, the refund
8 value of the container.

9 (2) Subsection (1) of this section shall not apply to glass beverage con-
10 tainers designed for beverages having a brand name permanently marked
11 thereon which, on October 1, 1972, had a refund value of not less than five
12 cents.

13 (3) No person shall sell or offer for sale at retail in this state any metal
14 beverage container so designed and constructed that a part of the container
15 is detachable in opening the container without the aid of a can opener.

16 (4) On or after March 1, 1979, no person shall sell or offer for sale at
17 retail in this state, in addition to beverages as defined in ORS 459A.700
18 [(1)], any beverage in liquid form intended for human consumption in any
19 beverage container so designed and constructed that a metal part of the
20 container is detachable in opening the container through use of a metal ring
21 or tab without the aid of a can opener. However, nothing in this subsection
22 shall prohibit the sale of a container the only detachable part of which is a
23 piece of pressure sensitive tape.

24 (5) No person shall sell or offer for sale at retail in this state metal
25 beverage containers connected to each other by a separate holding device
26 constructed of plastic rings or other material which will not decompose by
27 photobiodegradation, chemical degradation, or biodegradation within 120
28 days of disposal.

29 **SECTION 11.** ORS 459A.863 is amended to read:

30 459A.863. As used in ORS 459A.860 to 459A.975:

31 (1) "Brand" means any mark, word, name, symbol, design, device or

1 graphical element, or a combination thereof, including a registered or un-
2 registered trademark, that identifies a product and distinguishes the product
3 from other products.

4 (2) “Commingled recycling” means the recycling or recovery of two or
5 more materials that are mixed together and that generally would be sepa-
6 rated into individual materials at a commingled recycling processing facility
7 in order to be marketed.

8 (3)(a) “Commingled recycling processing facility” means a facility that:

9 (A) Receives source separated commingled recyclable materials that are
10 collected commingled from a collection program providing the opportunity
11 to recycle; and

12 (B) Separates the recyclable materials described in subparagraph (A) of
13 this paragraph into marketable commodities or streams of materials that are
14 intended for use or further processing by others.

15 (b) “Commingled recycling processing facility” does not include:

16 (A) Scrap metal recycling facilities;

17 (B) Scrap automotive or appliance recycling facilities;

18 (C) [*Full-service redemption centers or dealer redemption centers, as those*
19 *terms are*] **Redemption centers** as defined in ORS 459A.700[,] and recycling
20 facilities owned and operated by a distributor cooperative established under
21 ORS 459A.718;

22 (D) Recycling facilities handling covered electronic devices, as defined in
23 ORS 459A.305;

24 (E) Recycling processing facilities that process only noncommingled,
25 source separated recyclable material from commercial entities;

26 (F) Recycling processing facilities that recover commingled recyclable
27 material primarily from the construction and demolition debris waste stream;

28 (G) Recycling depots;

29 (H) Recycling reload facilities; or

30 (I) Limited sort facilities, as defined by rule by the Environmental Quality
31 Commission.

1 (4) “Contaminant” means:

2 (a) A material set out for recycling collection that is not properly pre-
3 pared and on the list of materials accepted for recycling collection by a re-
4 cycling collection program; or

5 (b) A material shipped to a recycling end market that is not accepted or
6 desired by that end market.

7 (5) “Contamination” means the presence of one or more contaminants in
8 a recycling collection or commodity stream in an amount or concentration
9 that negatively impacts the value of the material or negatively impacts a
10 processor’s ability to sort that material.

11 (6)(a) “Covered product” means:

12 (A) Packaging;

13 (B) Printing and writing paper; and

14 (C) Food serviceware.

15 (b) “Covered product” does not include:

16 (A) A beverage container, as defined in ORS 459A.700.

17 (B) Bound books.

18 (C) Napkins, paper towels or other paper intended to be used for cleaning
19 or the absorption of liquids.

20 (D) Rigid pallets used as the structural foundation for transporting goods
21 lifted by a forklift, pallet jack or similar device.

22 (E) Specialty packaging items that are used exclusively in industrial or
23 manufacturing processes, including but not limited to:

24 (i) Cores and wraps for rolls of packaging sold by a mill to a packaging
25 converter or food processor; and

26 (ii) Trays, whether designed for a single use or multiple uses, used for the
27 transport of component parts from a parts supplier to a manufacturer that
28 assembles those parts.

29 (F) Liquified petroleum gas containers that are designed to be refilled.

30 (G) A material that the producer demonstrates is exempt under ORS
31 459A.869.

1 (H) Pallet wrap or similar packaging used to secure a palletized load if
2 added by a person that is not the producer of the palletized covered products.

3 (I) Packaging related to containers for architectural paint, as defined in
4 ORS 459A.822, that has been collected by a producer responsibility organ-
5 ization under the program established under ORS 459A.820 to 459A.855.

6 (J) Any item that is not ultimately discarded inside this state, whether
7 for purposes of recovery or disposal.

8 (K) Items sold on a farm or used on a farm, including items used for farm
9 use, as defined in ORS 215.203, or for processing on a farm, provided that
10 an item used on a farm is not subsequently sold at a retail establishment
11 that is not located on a farm.

12 (L) Items used by a nursery licensed under ORS 571.055 that generates the
13 majority of the nursery's revenue through the sale of nursery stock, as de-
14 fined in ORS 571.005, provided that the items are not sold through retail
15 sales.

16 (M) Packaging and paper products sold or supplied in connection with:

- 17 (i) Prescription drugs as defined in ORS 689.005;
18 (ii) Nonprescription drugs as defined in ORS 689.005;
19 (iii) Drugs marketed under a brand name as defined in ORS 689.515; or
20 (iv) Drugs marketed under a generic name as defined in ORS 689.515.

21 (N) Packaging and paper products sold or supplied in connection with
22 drugs that are used for animal medicines, including but not limited to
23 parasiticide drugs for animals.

24 (O) Packaging and paper products sold or supplied in connection with:

- 25 (i) Infant formula as defined in 21 U.S.C. 321(z);
26 (ii) Medical food as defined in 21 U.S.C. 360ee(b)(3); or
27 (iii) Fortified oral nutritional supplements used for individuals who re-
28 quire supplemental or sole source nutrition to meet nutritional needs due to
29 special dietary needs directly related to cancer, chronic kidney disease,
30 diabetes, malnutrition, or failure to thrive, as those terms are defined as by
31 the International Classification of Diseases, Tenth Revision, or other medical

1 conditions as determined by the commission.

2 (P) Wine and spirit containers for which a refund value is established
3 under Oregon law.

4 (Q) Packaging for products:

5 (i) That are required under 40 C.F.R. 156.140, or other federal regulation
6 pertaining to toxic or hazardous materials, to state on the label or container
7 that the packaging should not be recycled or should be disposed of in a
8 manner other than recycling; or

9 (ii) Identified by the commission by rule as product that is required by
10 law to state on the label or container that the packaging should not be re-
11 cycled or should be disposed of in a manner other than recycling.

12 (R) Any other material, as determined by the commission by rule, after
13 consultation with the Oregon Recycling System Advisory Council.

14 (7) "Food serviceware" means paper or plastic plates, wraps, cups, bowls,
15 pizza boxes, cutlery, straws, lids, bags, aluminum foil or clamshells or similar
16 containers:

17 (a) That are generally intended for single use; and

18 (b) That are sold to a retailer or a dine-in food establishment or a take-
19 out food establishment, regardless of whether the item is used to prepackage
20 food for resale, is filled on site for food ordered by a customer or is resold
21 as is.

22 (8) "Large producer" means a producer that is among the 25 largest pro-
23 ducers of covered products based on market share.

24 (9) "Licensee" means a person that is licensed by a brand and manufac-
25 tures a covered product or a packaged item under that brand.

26 (10) "Litter" means waste that is improperly placed so as to be a nuisance
27 or aesthetic, health or environmental concern.

28 (11) "Local government" means:

29 (a) A city;

30 (b) A county; or

31 (c) A metropolitan service district.

1 (12) “Local government’s service provider” means:

2 (a) A collection service franchise holder under ORS 459A.085;

3 (b) Any person authorized by a city or county to provide recycling col-
4 lection services described in subsection (25)(a) to (d) of this section; or

5 (c) Any person authorized by a metropolitan service district to provide
6 recycling collection services described in subsection (25)(d) of this section.

7 (13) “Market share” means a producer’s percentage of all covered products
8 sold in or into this state during a specified time period, as calculated in ac-
9 cordance with methods established by the commission by rule.

10 (14) “Mechanical recycling” means a form of recycling that does not
11 change the basic molecular structure of the material being recycled.

12 (15) “Metropolitan service district” means a metropolitan service district
13 established under ORS chapter 268.

14 (16) “Nonprofit organization” means an organization or group of organ-
15 izations described in section 501(c)(3) of the Internal Revenue Code that is
16 exempt from income tax under section 501(a) of the Internal Revenue Code.

17 (17) “Opportunity to recycle” has the meaning given that term in ORS
18 459A.005.

19 (18)(a) “Packaging” means:

20 (A) Materials used for the containment or protection of products, includ-
21 ing but not limited to paper, plastic, glass or metal or a mixture thereof;

22 (B) Single-use bags, including but not limited to shopping bags; and

23 (C) Nondurable materials used in storage, shipping or moving, including
24 but not limited to packing materials, moving boxes, file boxes and folders.

25 (b) “Packaging” does not include:

26 (A) Food serviceware; or

27 (B) Sharps, as defined in ORS 459.386.

28 (19) “Person” has the meaning given that term in ORS 459.005.

29 (20) “Printing and writing paper” includes, but is not limited to, newspa-
30 per, magazines, flyers, brochures, booklets, catalogs, telephone directories
31 and paper used for copying, writing or other general use.

1 (21) “Processor” means a person that owns or operates a commingled re-
2 cycling processing facility.

3 (22) “Producer” means a person that is determined to be the producer of
4 a covered product under ORS 459A.866.

5 (23) “Producer responsibility organization” means a nonprofit organiza-
6 tion established by a producer or group of producers to administer a pro-
7 ducer responsibility program.

8 (24) “Producer responsibility program” means a statewide program for the
9 responsible management of covered products that is administered by a pro-
10 ducer responsibility organization pursuant to a plan approved by the De-
11 partment of Environmental Quality under ORS 459A.878.

12 (25) “Recycling collection” means the act or process of gathering
13 recyclable materials by:

14 (a) On-route residential collection from the generator at the place of
15 generation;

16 (b) On-site nonresidential collection from the generator at the place of
17 generation;

18 (c) Multifamily on-route residential collection from each multifamily
19 dwelling that has five or more units;

20 (d) Recycling depots at a disposal site or another designated location that
21 is more convenient to the population being served and expanded depots as
22 described in ORS 459A.007; or

23 (e) Other collection methods included in an approved producer responsi-
24 bility program plan.

25 (26) “Recycling depot” means a location where recyclable materials are
26 accepted from the public or commercial businesses and transported to a lo-
27 cation for processing or to an end market.

28 (27) “Recycling reload facility” means a facility other than a recycling
29 depot where recyclable materials are received, consolidated and made ready
30 for transport to another location for processing or to a responsible end
31 market.

1 (28) “Recycling system” means all aspects of the programs and partic-
2 ipants that have a role in Oregon’s statewide recycling structure, including
3 producers of products sold in or into Oregon, generators of recyclable mate-
4 rials, governments that regulate materials management programs, businesses
5 that collect and process recyclable materials and persons that receive
6 recyclable materials to convert to new feedstock or products.

7 (29) “Responsible end market” means a materials market in which the
8 recycling or recovery of materials or the disposal of contaminants is con-
9 ducted in a way that benefits the environment and minimizes risks to public
10 health and worker health and safety.

11 (30) “Responsible management” means the handling, tracking and dispo-
12 sition of covered products from the point of collection through the final
13 destination of the collected material in a way that benefits the environment
14 and minimizes risks to public health and worker health and safety.

15 (31) “Responsible recycling” means the handling of covered products for
16 recycling and removal of contaminants by a certified or permitted processor
17 and disposition to a responsible end market.

18 (32) “Small producer” means a producer that:

19 (a) Is a nonprofit organization;

20 (b) Is a public body, as defined in ORS 174.109;

21 (c) Has a gross revenue of less than \$5 million for the organization’s most
22 recent fiscal year;

23 (d) Sold in or into Oregon less than one metric ton of covered products
24 for use in this state in the most recent calendar year;

25 (e) Is a manufacturer of a beverage sold in a beverage container, as those
26 terms are defined in ORS 459A.700, that sold in or into Oregon less than five
27 metric tons of covered products, including but not limited to secondary and
28 tertiary packaging for beverage containers, for use in this state in the most
29 recent calendar year;

30 (f)(A) Is a restaurant, food cart or similar business establishment that
31 primarily sells to members of the public food that is generally intended to

1 be consumed immediately and without the need for further preparation, ei-
2 ther on or off the premises; and

3 (B) Is not a producer of food serviceware as described in ORS 459A.866;
4 or

5 (g) Operates a single retail sales establishment, has no online sales and
6 is not supplied or operated as part of a franchise or a chain.

7 (33) “Specifically identified material” means a material or covered product
8 identified by the department under ORS 459A.917.

9 (34) “Uniform statewide collection list” means the list of materials es-
10 tablished in accordance with the requirements of ORS 459A.914 (4).

11 **SECTION 12. (1) Sections 2 to 4 of this 2025 Act and the amend-**
12 **ments to ORS 459A.700, 459A.715, 459A.720, 459A.735, 459A.738, 459A.741**
13 **and 459A.863 by sections 5 to 11 of this 2025 Act become operative on**
14 **January 1, 2026.**

15 **(2) The Oregon Liquor and Cannabis Commission may take any**
16 **action before the operative date specified in subsection (1) of this sec-**
17 **tion that is necessary to enable the commission to exercise, on and**
18 **after the operative date specified in subsection (1) of this section, all**
19 **of the duties, functions and powers conferred on the commission by**
20 **sections 2 to 4 of this 2025 Act and the amendments to ORS 459A.700,**
21 **459A.715, 459A.720, 459A.735, 459A.738, 459A.741 and 459A.863 by sections**
22 **5 to 11 of this 2025 Act.**

23 **SECTION 13. This 2025 Act takes effect on the 91st day after the**
24 **date on which the 2025 regular session of the Eighty-third Legislative**
25 **Assembly adjourns sine die.**

26