

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 3308 - 4**

82nd Oregon Legislative Assembly – 2023 Regular Session

Legislative Fiscal Office

*Only Impacts on Original or Engrossed Versions are Considered Official*

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**Measure Description:**

Authorizes Oregon Liquor and Cannabis Commission to issue delivery permit to qualified applicant to deliver alcoholic beverages to final consumers.

**Government Unit(s) Affected:**

Oregon Liquor and Cannabis Commission, Judicial Department, District Attorneys, Public Defense Services Commission, Cities, Counties

**Summary of Fiscal Impact:**

Costs related to the measure may require budgetary action - See analysis.

**Summary of Expenditure Impact:**

	<b>2023-25 Biennium</b>	<b>2025-27 Biennium</b>
<b>Oregon Liquor and Cannabis Commission</b>		
<b>Other Funds</b>		
Personal Services	\$947,065	\$1,262,758
Services & Supplies	\$322,738	\$42,690
<b>Total Other Funds</b>	<b>\$1,269,803</b>	<b>\$1,305,448</b>
<b>Total Fiscal Impact</b>	<b>\$1,269,803</b>	<b>\$1,305,448</b>
<i>Total Positions</i>	6	6
<i>Total FTE</i>	4.50	6.00

**Summary of Revenue Impact:**

See the revenue impact statement issued by the Legislative Revenue Office.

**Analysis:** The measure allows the Oregon Liquor and Cannabis Commission (OLCC) to adopt rules to regulate the delivery of alcoholic beverages by eligible business, delivery persons and third-party delivery facilitators and to issue permits to third-party delivery facilitators to deliver alcoholic beverages on behalf of a business that holds a license or permit or is an agent with authority to deliver to the final customer at the delivery address. The eligible business or third-party delivery facilitator is required to develop an alcohol delivery training program that addresses forms of acceptable identification, sign of intoxication, and rules relating to the delivery of alcoholic beverages. In addition, the training program must be approved by OLCC. Creates a Class A misdemeanor for a person to engage in third-party facilitator activities without a permit and authorizes OLCC to assess a civil penalty of between \$500 to \$4,000 per violation.

OLCC estimates that five Liquor Regulatory Specialists (3.75 FTE) will be needed to build, manage, and staff decoy operations in each of OLCC’s five regions. In addition, OLCC will need one Compliance Specialist 3 (0.75 FTE) for the Administrative Hearings Division to evaluate and manage violations related to unlawful deliveries to minors or any other violations discovered during compliance activities. The Legislative Fiscal Office notes that the Governor’s budget proposal for 2023-25 includes a policy option package (package 215) to establish a regulatory framework in the event that a measure allowing home delivery of distilled spirits becomes law.

District Attorneys, the Public Defense Services Commission, counties, and the Oregon Judicial Department anticipate a minimal fiscal impact. Cities stated that as alcohol is more readily available, their costs tend to increase, but the data is unavailable.

This measure requires budgetary action for the allocation of Other Fund resources and position establishment.