

House Bill 2121

Sponsored by Representative NOSSE (Presession filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act adds OLCC agents to the meaning of the word "licensee." (Flesch Readability Score: 81.8).

Includes a liquor store agent appointed by the Oregon Liquor and Cannabis Commission in the definition of "licensee" for purposes of alcoholic beverages laws.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to agents appointed by the Oregon Liquor and Cannabis Commission; amending ORS
3 471.001; and declaring an emergency.

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

5 **SECTION 1.** ORS 471.001 is amended to read:

6 471.001. As used in this chapter and ORS chapter 473:

7 (1) "Alcoholic beverage" and "alcoholic liquor" mean any liquid or solid containing more than
8 one-half of one percent alcohol by volume and capable of being consumed by a human being.

9 (2) "Commercial establishment" means a place of business:

10 (a) Where food is cooked and served;

11 (b) That has kitchen facilities adequate for the preparation and serving of meals;

12 (c) That has dining facilities adequate for the serving and consumption of meals; and

13 (d) That:

14 (A) If not a for-profit private club, serves meals to the general public; or

15 (B) If a for-profit private club, serves meals to the club's members and guests and complies with
16 any minimum membership and food service requirements established by Oregon Liquor and Cannabis
17 Commission rules.

18 (3) "Commission" means the Oregon Liquor and Cannabis Commission.

19 (4) "Distilled liquor" means any alcoholic beverage other than a wine, cider or malt beverage.
20 "Distilled liquor" includes distilled spirits.

21 (5) "Licensee" means:

22 (a) Any person holding a license issued under this chapter[.]; **or**

23 (b) **An agent appointed by the commission under ORS 471.750.**

24 (6)(a) "Malt beverage" means beer, ale, porter, stout and other similar fermented beverages that
25 contain more than one-half of one percent and not more than 16 percent of alcohol by volume and
26 that are brewed or produced from malt, wholly or in part, or from rice, grain, bran, glucose, sugar
27 or molasses as a substitute for malt.

28 (b) "Malt beverage" does not include cider, mead, sake or wine.

29 (7) "Manufacturer" means every person who produces, brews, ferments, manufactures or blends

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 an alcoholic beverage within this state or who imports or causes to be imported into this state an
2 alcoholic beverage for sale or distribution within the state.

3 (8) "Permittee" means a person holding a permit issued under ORS 471.360 to 471.385.

4 (9) "Premises" or "licensed premises" means a location licensed under this chapter and includes
5 all enclosed areas at the location that are used in the business operated at the location, including
6 offices, kitchens, rest rooms and storerooms, including all public and private areas where patrons
7 are permitted to be present. "Premises" or "licensed premises" includes areas outside of a building
8 that the commission has specifically designated as approved for alcoholic beverage service or con-
9 sumption.

10 (10) "Regulatory specialist" means a full-time employee of the commission who is authorized to
11 act as an agent of the commission in conducting inspections or investigations, making arrests and
12 seizures, aiding in prosecutions for offenses, issuing citations for violations and otherwise enforcing
13 this chapter, ORS 474.005 to 474.095, 474.115, 475C.005 to 475C.525, 475C.540 to 475C.586 and
14 475C.600 to 475C.648, commission rules and any other statutes the commission considers related to
15 regulating liquor, marijuana or marijuana-derived products.

16 (11) "Wine" means any fermented vinous liquor or fruit juice, or other fermented beverage fit
17 for beverage purposes that is not a malt beverage, containing more than one-half of one percent of
18 alcohol by volume and not more than 21 percent of alcohol by volume. "Wine" includes fortified
19 wine. "Wine" does not include cider.

20 **SECTION 2. This 2025 Act being necessary for the immediate preservation of the public**
21 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
22 **on its passage.**