

House Bill 3015

Sponsored by COMMITTEE ON BUSINESS, LABOR AND CONSUMER AFFAIRS

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**.

Modifies definition of "malt beverage" for purposes of liquor control laws.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to malt beverages; amending ORS 471.001; and declaring an emergency.

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

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

5 471.001. As used in this chapter and ORS chapter 473:

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

8 (2) "Commercial establishment" means a place of business where food is cooked and served and
9 having adequate kitchen facilities for the preparation and serving of meals and having for that
10 purpose proper dining space. "Commercial establishment" includes athletic clubs and golf clubs op-
11 erated for profit. A commercial establishment must serve meals to the general public or, if the
12 commercial establishment is an athletic club or golf club, must serve meals to the club's members
13 and guests.

14 (3) "Commission" means the Oregon Liquor Control Commission.

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

17 (5) "Licensee" means any person holding a license issued under this chapter.

18 (6)(a) "Malt beverage" means an alcoholic beverage obtained by the fermentation of grain that
19 contains not more than 14 percent alcohol by volume.

20 (b) "Malt beverage" includes:

21 (A) Beer, ale, porter, stout and similar alcoholic beverages containing not more than 14 percent
22 alcohol by volume; **and**

23 (B) **Alcoholic beverages containing six percent or less alcohol by volume that derive not**
24 **more than 49 percent of the beverage's overall alcohol content from flavors and other added**
25 **nonbeverage ingredients containing alcohol.**

26 (c) "Malt beverage" does not include cider or an alcoholic beverage obtained **primarily** by
27 fermentation of rice.

28 (7) "Manufacturer" means every person who produces, brews, ferments, manufactures or blends
29 an alcoholic beverage within this state or who imports or causes to be imported into this state an
30 alcoholic beverage for sale or distribution within the state.

31 (8) "Permittee" means a person holding a permit issued under ORS 471.360 to 471.390.

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

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

11 **SECTION 2. This 2005 Act being necessary for the immediate preservation of the public**
12 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**
13 **on its passage.**