

Requested by SENATE COMMITTEE ON ENERGY AND ENVIRONMENT

**PROPOSED AMENDMENTS TO
SENATE BILL 992**

1 In line 2 of the printed bill, before the period insert “; creating new pro-
2 visions; amending ORS 459A.700, 459A.715, 459A.720, 459A.735, 459A.741 and
3 459A.863; and declaring an emergency”.

4 Delete lines 4 through 9 and insert:

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

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

14 **“(a) Established and operated by a nonprofit organization that has**
15 **entered into an agreement with a distributor cooperative to be a**
16 **sponsor of the alternative access redemption center; and**

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

18 **“(2) Application for approval of an alternative access redemption**
19 **center shall be filed with the commission. The application shall state**
20 **the name and address of the nonprofit organization responsible for the**
21 **establishment and operation of the alternative access redemption**

1 center, the name and address of the sponsoring distributor cooper-
2 ative, the kind of empty beverage containers that will be accepted at
3 the alternative access redemption center, the names and addresses of
4 the dealers to be served by the alternative access redemption center
5 and a proposal for the convenience zone specified by the commission
6 under section 3 of this 2025 Act. The application shall include such
7 additional information as the commission may require.

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

14 “(a) The location of the convenience zone specified by the commis-
15 sion under section 3 of this 2025 Act;

16 “(b) The dealers within the convenience zone to be served by the
17 alternative access redemption center;

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

20 “(d) The services to be provided by the alternative access redemp-
21 tion center and the equivalent services required to be provided under
22 section 3 of this 2025 Act by a dealer that does not participate in, and
23 is not served by, the alternative access redemption center;

24 “(e) The kind of empty beverage containers that the alternative
25 access redemption center must accept;

26 “(f) Whether the alternative access redemption center will be lo-
27 cated in an area zoned for commercial or industrial use under state
28 statute or local ordinance or will be located in an area that will pro-
29 vide more convenient service given the proximity of the location to the
30 dealers within the convenience zones to be served by the redemption

1 center; and

2 “(g) Such other provisions to ensure that the alternative access
3 redemption center will provide alternative redemption access oppor-
4 tunities for individuals who redeem empty beverage containers on a
5 daily or near daily basis.

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

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

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

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

19 “(B) Notice of the provisions of section 3 of this 2025 Act that are
20 applicable to the dealer receiving the notice.

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

1 on a daily or near daily basis.

2 “(7) An alternative access redemption center:

3 “(a) May not refuse to accept and to pay the refund value of up to
4 350 individual empty beverage containers, as established by ORS
5 459A.705, returned by any one person during one day;

6 “(b) Must provide hand counting of up to 50 individual empty
7 beverage containers returned by any one person during one day for the
8 refund value established by ORS 459A.705;

9 “(c) May provide drop off service for at least 125 individual empty
10 beverage containers returned by any one person during one day for the
11 refund value established by ORS 459A.705, and may provide an ac-
12 counting mechanism by which the person may redeem the refund
13 value of the beverage containers at a later date; and

14 “(d) May provide other services as determined necessary by the
15 person that operates the alternative access redemption center.

16 “(8)(a) In addition to the alternative access redemption center ap-
17 proved by the commission under subsection (3) of this section, a per-
18 son that operates an alternative access redemption center, with the
19 support of the sponsoring distributor cooperative, may apply to the
20 commission for approval of one or more mobile or satellite redemption
21 sites. The commission may approve a mobile or satellite redemption
22 site if the commission determines that the site will provide convenient
23 alternative redemption access opportunities for individuals who re-
24 deem empty beverage containers on a daily or near daily basis. A
25 mobile or satellite redemption site must:

26 “(A) Maintain consistent service hours and days at fixed points
27 within the convenience zone specified for the mobile or satellite re-
28 demption site; and

29 “(B) Provide the refund value of beverage containers in cash at the
30 time of redemption.

1 **“(b) At the time of approving a mobile or satellite redemption site,**
2 **the commission may specify a convenience zone in the area sur-**
3 **rounding a mobile or satellite redemption site as provided in section**
4 **3 of this 2025 Act.**

5 **“(c) Nothing in this subsection prohibits the operator of an alter-**
6 **native access redemption center from offering additional redemption**
7 **services outside of the area of an alternative access convenience zone**
8 **or a mobile or satellite convenience zone.**

9 **“(d) The commission may establish by rule standards for the oper-**
10 **ation of mobile or satellite redemption sites and requirements for**
11 **dealers located in a convenience zone applicable to a mobile or satellite**
12 **redemption site.**

13 **“SECTION 3. (1) The Oregon Liquor and Cannabis Commission shall**
14 **specify a convenience zone for an alternative access redemption center**
15 **and a convenience zone for a mobile or satellite redemption site as**
16 **provided in this section. The convenience zone specified for:**

17 **“(a) An alternative access redemption center shall be a contiguous**
18 **area, the boundaries of which do not exceed three and one-half miles**
19 **from the location of the alternative access redemption center at any**
20 **point.**

21 **“(b) A mobile or satellite redemption site shall be located within**
22 **an area that extends from the outer edge of the convenience zone**
23 **specified for the alternative access redemption center with which the**
24 **satellite or mobile redemption site is associated to a boundary that is**
25 **no more than five miles from the alternative access redemption center**
26 **at any point.**

27 **“(2) All dealers doing business within a convenience zone specified**
28 **under this section that occupy a space of 5,000 or more square feet in**
29 **a single area may participate in, be served by and be charged the cost**
30 **of participation in the alternative access redemption center and, if**

1 such a dealer participates in, is served by and pays the cost of partic-
2 ipation in the alternative access redemption center, the dealer may,
3 notwithstanding any other provision of ORS 459A.700 to 459A.744, re-
4 fuse to accept and to pay the refund value of empty beverage con-
5 tainers.

6 “(3)(a) All dealers doing business within the convenience zone that
7 occupy a space of less than 5,000 square feet in a single area may,
8 notwithstanding any other provision of ORS 459A.700 to 459A.744, re-
9 fuse to accept and to pay the refund value of more than 24 individual
10 empty beverage containers returned by any one person during one day.

11 (b) Notwithstanding ORS 459A.715, the requirement to accept and
12 pay the refund value of beverage containers described in this sub-
13 section applies during the hours of 8 a.m. and 6 p.m. while the dealer
14 is otherwise open for business.

15 “(4)(a) Any dealer, other than a dealer that operates a dealer re-
16 demption center, doing business within a convenience zone specified
17 under this section that occupies a space of 5,000 or more square feet
18 in a single area that does not participate in, and is not served by, the
19 alternative access redemption center may not refuse to accept and to
20 pay the refund value of up to 350 individual empty beverage contain-
21 ers, as established by ORS 459A.705, returned by any one person during
22 one day and must, beginning on the date that the alternative access
23 redemption center begins accepting beverage containers, provide ser-
24 vices equivalent to those provided by the alternative access redemption
25 center under section 2 of this 2025 Act, including hand counting and
26 drop off service.

27 “(b) In addition to complying with the requirements specified in
28 paragraph (a) of this subsection, a dealer described in paragraph (a)
29 of this subsection must:

30 “(A) Post in each area where beverage containers are received a

1 clearly visible and legible sign that contains the list of services that
2 must be provided by the dealer; and

3 “(B) Provide two automated reverse vending machines capable of
4 processing metal, plastic and glass beverage containers, or one auto-
5 mated reverse vending machine capable of processing metal, plastic
6 and glass beverage containers for each 500,000 beverage containers sold
7 by the dealer in the previous calendar year, whichever is greater.

8 “(c)(A) The provisions of paragraphs (a) and (b) of this subsection
9 do not apply to a dealer described in paragraph (a) of this subsection
10 if the dealer sold fewer than 100,000 beverage containers in the previ-
11 ous calendar year. To be eligible for the exemption under this para-
12 graph, the dealer must report to the commission the number of
13 beverage containers sold by the dealer in the previous calendar year.

14 “(B) The report required under this paragraph must be submitted
15 by the dealer:

16 “(i) Except as provided in subsection (5) of this section, no later
17 than 60 days after issuance of the notice required under section 2 (5)
18 of this 2025 Act; and

19 “(ii) No later than January 1 of each calendar year following the
20 year that the notice under section 2 (5) of this 2025 Act was issued and
21 for which the dealer intends to claim the exemption.

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

25 “(5) A dealer that plans to begin doing business within a conven-
26 ience zone specified under this section after the date that the alter-
27 native access redemption center associated with the convenience zone
28 begins accepting beverage containers shall, not less than 60 days prior
29 to the date that the dealer begins doing business:

30 “(a) Provide notice to the commission explaining whether the dealer

1 will or will not participate in, be served by and pay the cost of par-
2 ticipation in the alternative access redemption center; and

3 “(b) If the dealer will not participate in the alternative access re-
4 demption center and will claim an exemption under subsection (4)(c)
5 of this section, provide documentation of compliance with the re-
6 quirements for nonparticipating dealers under this section and an es-
7 timate of the number of beverage containers that the dealer expects
8 to sell during the first calendar year that the dealer does business
9 within the convenience zone.

10 **“SECTION 4. (1)(a) The Oregon Liquor and Cannabis Commission**
11 **shall classify the two existing convenience zones specified under ORS**
12 **459A.738 for a full-service redemption center as a single low-impact**
13 **convenience zone if:**

14 “(A) In the prior year, the combined volume of beverage container
15 returns to all dealers that occupy a space of 5,000 or more square feet
16 in the second convenience zone specified under ORS 459A.738 (1) is less
17 than three percent of the annual returns to the redemption center;
18 and

19 “(B)(i) The redemption center has been in operation for a period of
20 three years; or

21 “(ii) The person that operates the redemption center demonstrates
22 to the satisfaction of the commission that the redemption center has
23 been in operation for a sufficient period of time to allow the beverage
24 container return volumes for the redemption center and dealers de-
25 scribed in paragraph (a)(A) of this subsection to normalize at a con-
26 sistent rate.

27 “(b) The commission shall classify two existing convenience zones
28 as one low-impact convenience zone:

29 “(A) As a result of the review required under section 5 of this 2025
30 Act; or

1 **“(B) Upon the approval of an application for classification submit-**
2 **ted by an operator of a full-service redemption center.**

3 **“(2) All dealers doing business within a low-impact convenience**
4 **zone that occupy a space of 5,000 or more square feet in a single area**
5 **may participate in, be served by and be charged the cost of partic-**
6 **ipation in the full-service redemption center and, if such a dealer**
7 **participates in, is served by and pays the cost of participation in the**
8 **full-service redemption center, the dealer may, notwithstanding any**
9 **other provision of ORS 459A.700 to 459A.744, refuse to accept and to**
10 **pay the refund value of empty beverage containers.**

11 **“(3) All dealers doing business within a low-impact convenience**
12 **zone that occupy a space of less than 5,000 square feet in a single area**
13 **may, notwithstanding any other provision of ORS 459A.700 to 459A.744,**
14 **refuse to accept and to pay the refund value of more than 24 individual**
15 **empty beverage containers returned by any one person during one day.**

16 **“(4) The requirements of ORS 459A.738 (5) and the exemption pro-**
17 **vided for in ORS 459A.738 (5)(c) shall continue to apply to a dealer de-**
18 **scribed in ORS 459A.738 (5)(a) doing business within a convenience**
19 **zone that has been classified as a low-impact convenience zone.**

20 **“(5) A dealer that plans to begin doing business within a low-impact**
21 **convenience zone shall, not less than 60 days prior to the date that the**
22 **dealer begins doing business:**

23 **“(a) Provide notice to the commission explaining whether the dealer**
24 **will or will not participate in, be served by and pay the cost of par-**
25 **ticipation in the full-service redemption center; and**

26 **“(b) If the dealer will not participate in the redemption center and**
27 **will claim an exemption under ORS 459A.738 (5)(c), provide documen-**
28 **tation of compliance with the requirements for nonparticipating deal-**
29 **ers under ORS 459A.738 (5)(c) and an estimate of the number of**
30 **beverage containers that the dealer expects to sell during the first**

1 calendar year that the dealer does business within the low-impact
2 convenience zone.

3 **“SECTION 5. (1) No less than once every three years, the Oregon**
4 **Liquor and Cannabis Commission shall review each convenience zone**
5 **specified under ORS 459A.738 and each low-impact convenience zone.**
6 **The review must include consultation with:**

7 **“(a) The distributor cooperative;**

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

9 **“(c) If the boundary of the convenience zone is less than three and**
10 **one-half miles from the redemption center, dealers that would be**
11 **within the convenience zone if the boundary of the convenience zone**
12 **were extended to three and one-half miles.**

13 **“(2) In conducting the review, the commission shall consider**
14 **whether:**

15 **“(a) Any convenience zones specified under ORS 459A.738 should be**
16 **classified as a low-impact convenience zone; and**

17 **“(b) Any convenience zone specified under ORS 459A.738 should**
18 **have its boundary expanded.**

19 **“SECTION 6. No later than January 1, 2026, the Oregon Liquor and**
20 **Cannabis Commission, in consultation with the distributor cooperative**
21 **and an association representing retail grocers, shall review each con-**
22 **venience zone and classify as a low-impact convenience zone any con-**
23 **venience zone that meets the criteria specified in section 4 of this 2025**
24 **Act.**

25 **“SECTION 7. ORS 459A.700 is amended to read:**

26 **“459A.700. As used in ORS [459.992 (3) and (4) and] 459A.700 to 459A.744,**
27 **unless the context requires otherwise:**

28 **“(1) ‘Alternative access redemption center’ means a redemption**
29 **center that meets the requirements of section 2 of this 2025 Act.**

30 **“[(1)] (2) ‘Beverage’ means a fluid described in ORS 459A.702.**

1 “[(2)] (3) ‘Beverage container’ means a container described in ORS
2 459A.702.

3 “[(3)] (4) ‘Commission’ means the Oregon Liquor and Cannabis Commis-
4 sion.

5 “[(4)] (5) ‘Consumer’ means every person who purchases a beverage in a
6 beverage container for use or consumption.

7 “[(5)] (6) ‘Dealer’ means every person in this state who engages in the sale
8 of beverages in beverage containers to a consumer, or means a full-service
9 redemption center approved under ORS 459A.735.

10 “[(6)] (7) ‘Dealer redemption center’ means a location that meets the re-
11 quirements of ORS 459A.741, at which any person may return empty beverage
12 containers **in bulk** and [*receive payment of*] **access** the refund value of the
13 beverage containers **through an accounting mechanism that is accessi-**
14 **ble on the premises and that makes the refund value available no later**
15 **than one week after the person drops off the beverage containers.**

16 “[(7)] (8) ‘Distributor’ means every person who engages in the sale of
17 beverages in beverage containers to a dealer in this state including any
18 manufacturer who engages in such sales.

19 “[(8)] (9) ‘Full-service redemption center’ means a location that meets the
20 requirements of ORS 459A.737, at which any person may return empty
21 beverage containers and receive payment of the refund value of the beverage
22 containers.

23 “[(9)] (10) ‘Hard seltzer’ means any sugar-based alcoholic beverage that
24 contains carbonated water or any malt-based alcoholic beverage that con-
25 tains carbonated water and is not a malt beverage, as defined in ORS 471.001.

26 “[(10)] (11) ‘Importer’ means any dealer or manufacturer who directly
27 imports beverage containers into this state.

28 “[(11)] (12) ‘In this state’ means within the exterior limits of the State
29 of Oregon and includes all territory within these limits owned by or ceded
30 to the United States of America.

1 “[(12)] (13) ‘Kombucha’ means a fermented beverage that is made from tea
2 and contains not more than 21 percent of alcohol by volume.

3 “(14) ‘**Low-impact convenience zone**’ means a convenience zone
4 **specified under section 4 of this 2025 Act.**

5 “[(13)] (15) ‘Manufacturer’ means every person bottling, canning or oth-
6 erwise filling beverage containers for sale to distributors, importers or deal-
7 ers.

8 “[(14)] (16) ‘Place of business of a dealer’ means the location at which a
9 dealer sells or offers for sale beverages in beverage containers to consumers.

10 “[(15)] (17) ‘Redemption center’ means a full-service redemption center,
11 [or] a dealer redemption center **or an alternative access redemption cen-**
12 **ter.**

13 “[(16)] (18) ‘Use or consumption’ includes the exercise of any right or
14 power over a beverage incident to the ownership thereof, other than the sale
15 or the keeping or retention of a beverage for the purposes of sale.

16 “[(17)] (19) ‘Water and flavored water’ means any beverage identified
17 through the use of letters, words or symbols on its product label as a type
18 of water.

19 “[(18)] (20) ‘Wine’ has the meaning given that term in ORS 471.001, except
20 that ‘wine’ does not mean hard seltzer or kombucha.

21 “**SECTION 8.** ORS 459A.715 is amended to read:

22 “459A.715. (1) A dealer may refuse to accept from any person, and a dis-
23 tributor or importer may refuse to accept from a dealer, any empty beverage
24 container that does not state thereon a refund value as established by ORS
25 459A.705.

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

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

1 **“(b) Empty beverage containers, if the dealer occupies a space of**
2 **more than 5,000 square feet and the dealer participates in, is served**
3 **by and pays the cost of participation in:**

4 **“(A) A full-service redemption center, if the dealer’s place of busi-**
5 **ness is located in a low-impact convenience zone; or**

6 **“(B) An alternative access redemption center.**

7 **“(c) Empty beverage containers at a location where the dealer has**
8 **established a dealer redemption center within the limits of a city with**
9 **a population of 500,000 or greater.**

10 **“[(b)] (d) Any beverage container visibly containing or contaminated by**
11 **a substance other than water, residue of the original contents or ordinary**
12 **dust.**

13 **“[(c)(A)] (e)(A) More than 144 individual beverage containers returned**
14 **by any one person during one day, if the dealer occupies a space of 5,000 or**
15 **more square feet in a single area.**

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

19 **“[(d)] (f) Any beverage container that is damaged to the extent that the**
20 **brand appearing on the container cannot be identified.**

21 **“(3) The commission shall develop and provide to dealers notices that**
22 **describe the reasons a dealer may refuse to accept and to pay the refund**
23 **value for empty beverage containers under subsection (2) of this section. The**
24 **notices may contain additional information as determined by the commission.**

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

27 **“(5) A dealer required to accept and pay the refund value of**
28 **beverage containers under the provisions of ORS 459A.700 to 459A.744**
29 **must accept and pay the refund value of beverage containers during**
30 **the hours of 8 a.m. to 8 p.m. while the dealer is otherwise open for**

1 **business. A dealer may refuse to accept the return of beverage con-**
2 **tainers during all other hours.**

3 **“(6) A dealer that holds a winery license under ORS 471.223 may,**
4 **at the premises of the winery, refuse to accept and to pay the refund**
5 **value of any empty beverage container that is of a kind, size and brand**
6 **that the dealer does not sell at the winery.**

7 **“SECTION 9. ORS 459A.735 is amended to read:**

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

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

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

25 “(a) The location of the convenience zones specified by the commission
26 under ORS 459A.738 (1);

27 “(b) The dealers within the convenience zones to be served by the full-
28 service redemption center;

29 “(c) The dealers within the convenience zones not to be served by or not
30 participating in the full-service redemption center;

1 “(d) The services to be provided by the redemption center and the equiv-
2 alent services required to be provided under ORS 459A.738 (5) by a dealer
3 that does not participate in, and is not served by, the full-service redemption
4 center;

5 “(e) The kind of empty beverage containers that the full-service redemp-
6 tion center must accept;

7 “(f) Whether the full-service redemption center will be located in an area
8 zoned for commercial **or industrial** use under state statute or local ordi-
9 nance or will be located in an area that will provide more convenient service
10 given the proximity of the location to the dealers within the convenience
11 zones to be served by the full-service redemption center; *[and]*

12 “(g) **That the applicant has notified the state Senator and state**
13 **Representative in whose districts the full-service redemption center**
14 **will be located of the proposed full-service redemption center and the**
15 **applicant’s plan for community engagement; and**

16 “[*(g)*] (h) Such other provisions to ensure that the full-service redemption
17 center will provide a convenient service to the public as the commission may
18 determine.

19 “(4) A full-service redemption center approved by the commission under
20 this section is not a recycling depot for purposes of ORS 90.318, 459A.007,
21 459A.010, 459A.050 or 459A.080.

22 “(5)(a) No later than five days after approving a full-service redemption
23 center under subsection (3) of this section, the commission shall provide
24 written notice to each dealer that is identified in the order approving the
25 full-service redemption center as a dealer within the convenience zones not
26 to be served by or not participating in the full-service redemption center.

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

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

30 “(B) Notice of the provisions of ORS 459A.738 that are applicable to the

1 dealer receiving the notice.

2 “(6) The commission may review at any time approval of a full-service
3 redemption center. After written notice to the person responsible for the es-
4 tablishment and operation of the full-service redemption center, and to the
5 dealers served by the full-service redemption center, the commission may,
6 after hearing, withdraw approval of a full-service redemption center if the
7 commission finds there has not been compliance with its order approving the
8 full-service redemption center, or if the full-service redemption center no
9 longer provides a convenient service to the public.

10 **“(7) The commission shall provide the opportunity for public com-
11 ment before concluding under subsection (3) or (6) of this section that
12 a full-service redemption center provides a convenient service to the
13 public for the redemption of beverage containers. The commission may
14 consider public comment when determining whether a full-service re-
15 demption center provides a convenient service to consumers for the
16 return of empty beverage containers.**

17 **“SECTION 10.** ORS 459A.741 is amended to read:

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

1 **refund value of the beverage containers through an accounting**
2 **mechanism that is accessible on the premises and that makes the re-**
3 **fund value available no later than one week after the person drops off**
4 **the beverage containers;**

5 “(c) Be serviced by a distributor cooperative for purposes of transporting
6 and processing redeemed beverage containers;

7 “(d) Be available for persons to return beverage containers to the dealer
8 redemption center during any time that a participating dealer is open be-
9 tween the hours of 8 a.m. and 8 p.m.; and

10 “(e) Be of a sufficient capacity to provide convenient service to the public
11 as the commission may determine.

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

15 “(4) A distributor cooperative that services dealer redemption centers
16 shall:

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

19 “(A) Begins providing drop off service to persons for the return of empty
20 beverage containers; or

21 “(B) Ceases operations; and

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

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

30 “(b) If a dealer redemption center is established in a city having a popu-

1 lation of less than 10,000 people, the Oregon Liquor and Cannabis Commis-
2 sion shall specify a dealer redemption center convenience zone. The dealer
3 redemption center convenience zone shall be the sector within a radius of
4 not more than one mile around the dealer redemption center. Any dealer
5 doing business within a dealer redemption center convenience zone may
6 participate in, be served by and pay the cost of participation in the dealer
7 redemption center and receive the benefit provided for in paragraph (a) of
8 this subsection.

9 **“(c) Notwithstanding paragraph (a) of this subsection, a dealer that**
10 **establishes a dealer redemption center at the dealer’s location within**
11 **the limits of a city with a population greater than 500,000 may refuse**
12 **to accept and to pay the refund value of empty beverage containers**
13 **at that location.**

14 **“SECTION 11.** ORS 459A.720 is amended to read:

15 “459A.720. (1) Every beverage container sold or offered for sale in this
16 state by a dealer shall clearly indicate by embossing or by a stamp, or by a
17 label or other method securely affixed to the beverage container, the refund
18 value of the container.

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

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

26 “(4) On or after March 1, 1979, no person shall sell or offer for sale at
27 retail in this state, in addition to beverages as defined in ORS 459A.700
28 [(1)], any beverage in liquid form intended for human consumption in any
29 beverage container so designed and constructed that a metal part of the
30 container is detachable in opening the container through use of a metal ring

1 or tab without the aid of a can opener. However, nothing in this subsection
2 shall prohibit the sale of a container the only detachable part of which is a
3 piece of pressure sensitive tape.

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

9 **“SECTION 12.** ORS 459A.863 is amended to read:

10 “459A.863. As used in ORS 459A.860 to 459A.975:

11 “(1) ‘Brand’ means any mark, word, name, symbol, design, device or
12 graphical element, or a combination thereof, including a registered or un-
13 registered trademark, that identifies a product and distinguishes the product
14 from other products.

15 “(2) ‘Commingled recycling’ means the recycling or recovery of two or
16 more materials that are mixed together and that generally would be sepa-
17 rated into individual materials at a commingled recycling processing facility
18 in order to be marketed.

19 “(3)(a) ‘Commingled recycling processing facility’ means a facility that:

20 “(A) Receives source separated commingled recyclable materials that are
21 collected commingled from a collection program providing the opportunity
22 to recycle; and

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

26 “(b) ‘Commingled recycling processing facility’ does not include:

27 “(A) Scrap metal recycling facilities;

28 “(B) Scrap automotive or appliance recycling facilities;

29 “(C) Full-service redemption centers, [or] dealer redemption centers **or**
30 **alternative access redemption centers**, as those terms are defined in ORS

1 459A.700, and recycling facilities owned and operated by a distributor coop-
2 erative established under ORS 459A.718;

3 “(D) Recycling facilities handling covered electronic devices, as defined
4 in ORS 459A.305;

5 “(E) Recycling processing facilities that process only noncommingled,
6 source separated recyclable material from commercial entities;

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

9 “(G) Recycling depots;

10 “(H) Recycling reload facilities; or

11 “(I) Limited sort facilities, as defined by rule by the Environmental
12 Quality Commission.

13 “(4) ‘Contaminant’ means:

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

17 “(b) A material shipped to a recycling end market that is not accepted
18 or desired by that end market.

19 “(5) ‘Contamination’ means the presence of one or more contaminants in
20 a recycling collection or commodity stream in an amount or concentration
21 that negatively impacts the value of the material or negatively impacts a
22 processor’s ability to sort that material.

23 “(6)(a) ‘Covered product’ means:

24 “(A) Packaging;

25 “(B) Printing and writing paper; and

26 “(C) Food serviceware.

27 “(b) ‘Covered product’ does not include:

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

29 “(B) Bound books.

30 “(C) Napkins, paper towels or other paper intended to be used for clean-

1 ing or the absorption of liquids.

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

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

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

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

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

12 “(G) A material that the producer demonstrates is exempt under ORS
13 459A.869.

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

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

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

21 “(K) Items sold on a farm or used on a farm, including items used for farm
22 use, as defined in ORS 215.203, or for processing on a farm, provided that
23 an item used on a farm is not subsequently sold at a retail establishment
24 that is not located on a farm.

25 “(L) Items used by a nursery licensed under ORS 571.055 that generates
26 the majority of the nursery’s revenue through the sale of nursery stock, as
27 defined in ORS 571.005, provided that the items are not sold through retail
28 sales.

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

30 “(i) Prescription drugs as defined in ORS 689.005;

1 “(ii) Nonprescription drugs as defined in ORS 689.005;
2 “(iii) Drugs marketed under a brand name as defined in ORS 689.515; or
3 “(iv) Drugs marketed under a generic name as defined in ORS 689.515.
4 “(N) Packaging and paper products sold or supplied in connection with
5 drugs that are used for animal medicines, including but not limited to
6 parasiticide drugs for animals.
7 “(O) Packaging and paper products sold or supplied in connection with:
8 “(i) Infant formula as defined in 21 U.S.C. 321(z);
9 “(ii) Medical food as defined in 21 U.S.C. 360ee(b)(3); or
10 “(iii) Fortified oral nutritional supplements used for individuals who re-
11 quire supplemental or sole source nutrition to meet nutritional needs due to
12 special dietary needs directly related to cancer, chronic kidney disease,
13 diabetes, malnutrition, or failure to thrive, as those terms are defined as by
14 the International Classification of Diseases, Tenth Revision, or other medical
15 conditions as determined by the commission.
16 “(P) Wine and spirit containers for which a refund value is established
17 under Oregon law.
18 “(Q) Packaging for products:
19 “(i) That are required under 40 C.F.R. 156.140, or other federal regulation
20 pertaining to toxic or hazardous materials, to state on the label or container
21 that the packaging should not be recycled or should be disposed of in a
22 manner other than recycling; or
23 “(ii) Identified by the commission by rule as product that is required by
24 law to state on the label or container that the packaging should not be re-
25 cycled or should be disposed of in a manner other than recycling.
26 “(R) Any other material, as determined by the commission by rule, after
27 consultation with the Oregon Recycling System Advisory Council.
28 “(7) ‘Food servicerware’ means paper or plastic plates, wraps, cups, bowls,
29 pizza boxes, cutlery, straws, lids, bags, aluminum foil or clamshells or similar
30 containers:

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

2 “(b) That are sold to a retailer or a dine-in food establishment or a
3 take-out food establishment, regardless of whether the item is used to pre-
4 package food for resale, is filled on site for food ordered by a customer or
5 is resold as is.

6 “(8) ‘Large producer’ means a producer that is among the 25 largest pro-
7 ducers of covered products based on market share.

8 “(9) ‘Licensee’ means a person that is licensed by a brand and manufac-
9 tures a covered product or a packaged item under that brand.

10 “(10) ‘Litter’ means waste that is improperly placed so as to be a nuisance
11 or aesthetic, health or environmental concern.

12 “(11) ‘Local government’ means:

13 “(a) A city;

14 “(b) A county; or

15 “(c) A metropolitan service district.

16 “(12) ‘Local government’s service provider’ means:

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

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

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

22 “(13) ‘Market share’ means a producer’s percentage of all covered pro-
23 ducts sold in or into this state during a specified time period, as calculated
24 in accordance with methods established by the commission by rule.

25 “(14) ‘Mechanical recycling’ means a form of recycling that does not
26 change the basic molecular structure of the material being recycled.

27 “(15) ‘Metropolitan service district’ means a metropolitan service district
28 established under ORS chapter 268.

29 “(16) ‘Nonprofit organization’ means an organization or group of organ-
30 izations described in section 501(c)(3) of the Internal Revenue Code that is

1 exempt from income tax under section 501(a) of the Internal Revenue Code.

2 “(17) ‘Opportunity to recycle’ has the meaning given that term in ORS
3 459A.005.

4 “(18)(a) ‘Packaging’ means:

5 “(A) Materials used for the containment or protection of products, in-
6 cluding but not limited to paper, plastic, glass or metal or a mixture thereof;

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

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

10 “(b) ‘Packaging’ does not include:

11 “(A) Food serviceware; or

12 “(B) Sharps, as defined in ORS 459.386.

13 “(19) ‘Person’ has the meaning given that term in ORS 459.005.

14 “(20) ‘Printing and writing paper’ includes, but is not limited to, newspa-
15 per, magazines, flyers, brochures, booklets, catalogs, telephone directories
16 and paper used for copying, writing or other general use.

17 “(21) ‘Processor’ means a person that owns or operates a commingled re-
18 cycling processing facility.

19 “(22) ‘Producer’ means a person that is determined to be the producer of
20 a covered product under ORS 459A.866.

21 “(23) ‘Producer responsibility organization’ means a nonprofit organiza-
22 tion established by a producer or group of producers to administer a pro-
23 ducer responsibility program.

24 “(24) ‘Producer responsibility program’ means a statewide program for the
25 responsible management of covered products that is administered by a pro-
26 ducer responsibility organization pursuant to a plan approved by the De-
27 partment of Environmental Quality under ORS 459A.878.

28 “(25) ‘Recycling collection’ means the act or process of gathering
29 recyclable materials by:

30 “(a) On-route residential collection from the generator at the place of

1 generation;

2 “(b) On-site nonresidential collection from the generator at the place of
3 generation;

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

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

9 “(e) Other collection methods included in an approved producer responsi-
10 bility program plan.

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

14 “(27) ‘Recycling reload facility’ means a facility other than a recycling
15 depot where recyclable materials are received, consolidated and made ready
16 for transport to another location for processing or to a responsible end
17 market.

18 “(28) ‘Recycling system’ means all aspects of the programs and partic-
19 ipants that have a role in Oregon’s statewide recycling structure, including
20 producers of products sold in or into Oregon, generators of recyclable mate-
21 rials, governments that regulate materials management programs, businesses
22 that collect and process recyclable materials and persons that receive
23 recyclable materials to convert to new feedstock or products.

24 “(29) ‘Responsible end market’ means a materials market in which the
25 recycling or recovery of materials or the disposal of contaminants is con-
26 ducted in a way that benefits the environment and minimizes risks to public
27 health and worker health and safety.

28 “(30) ‘Responsible management’ means the handling, tracking and dispo-
29 sition of covered products from the point of collection through the final
30 destination of the collected material in a way that benefits the environment

1 and minimizes risks to public health and worker health and safety.

2 “(31) ‘Responsible recycling’ means the handling of covered products for
3 recycling and removal of contaminants by a certified or permitted processor
4 and disposition to a responsible end market.

5 “(32) ‘Small producer’ means a producer that:

6 “(a) Is a nonprofit organization;

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

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

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

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

17 “(f)(A) Is a restaurant, food cart or similar business establishment that
18 primarily sells to members of the public food that is generally intended to
19 be consumed immediately and without the need for further preparation, ei-
20 ther on or off the premises; and

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

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

25 “(33) ‘Specifically identified material’ means a material or covered prod-
26 uct identified by the department under ORS 459A.917.

27 “(34) ‘Uniform statewide collection list’ means the list of materials es-
28 tablished in accordance with the requirements of ORS 459A.914 (4).

29 **“SECTION 13. (1) Sections 2 and 3 of this 2025 Act and the amend-
30 ments to ORS 459A.735 by section 9 of this 2025 Act become operative**

1 on October 1, 2025.

2 “(2) The Oregon Liquor and Cannabis Commission may take any
3 action before the operative date specified in subsection (1) of this sec-
4 tion necessary to enable the commission to exercise, on and after the
5 operative date specified in subsection (1) of this section, all of the du-
6 ties, functions and powers conferred on the commission by sections 2
7 and 3 of this 2025 Act and the amendments to ORS 459A.735 by section
8 9 of this 2025 Act.

9 “SECTION 14. The amendments to ORS 459A.735 by section 9 of this
10 2025 Act apply to applications for approval of a full-service redemption
11 center filed with the Oregon Liquor and Cannabis Commission on or
12 after the operative date specified in section 13 (1) of this 2025 Act.

13 “SECTION 15. Notwithstanding section 2 (8) of this 2025 Act, the
14 Oregon Liquor and Cannabis Commission may not accept an applica-
15 tion to operate a mobile or satellite redemption site before January 1,
16 2026.

17 “SECTION 16. This 2025 Act being necessary for the immediate
18 preservation of the public peace, health and safety, an emergency is
19 declared to exist, and this 2025 Act takes effect on its passage.”.

20
