

# Senate/House Bill \_\_\_\_\_

**DISCUSSION  
DRAFT**  
6/05/06

## SUMMARY

Distributes twenty-eight percent of net Oregon liquor proceeds to prevention, enforcement, and treatment related to drug or alcohol addiction.

Takes effect on 91st day following adjournment sine die.

### A BILL FOR AN ACT

1  
2 Relating to distribution of liquor proceeds; creating new provisions; amending ORS 471.810;  
3 appropriating money; and prescribing an effective date.

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

5 **SECTION 1.** ORS 471.810 is amended to read:

6 471.810. (1) At the end of each month, the Oregon Liquor Control Commission shall certify the  
7 amount of moneys available for distribution in the Oregon Liquor Control Commission Account, and  
8 after withholding such moneys as it may deem necessary to pay its outstanding obligations shall within 35  
9 days of the month for which a distribution is made direct the State Treasurer to pay the amounts due, upon  
10 warrants drawn by the Oregon Department of Administrative Services, as follows:

11 (a) *[Fifty-six]* **Twenty-eight** percent, or **one-half** of the amount remaining after the distribution  
12 under subsection (4) of this section, credited to the General Fund available for general governmental  
13 purposes wherein it shall be considered as revenue during the quarter immediately preceding receipt;

14 **(b) Twenty-eight percent, or one-half of the amount remaining after the distribution under**  
15 **subsection (4) of this section, credited to the Alcohol Proceeds Distribution Fund established under**  
16 **Section 3 of this 2007 Act;**

17 *[(b)]* (c) Twenty percent to the cities of the state in such shares as the population of each city  
18 bears to the population of the cities of the state, as determined by the State Board of Higher Education last  
19 preceding such apportionment, under ORS 190.510 to 190.610;

20 *[(c)]* (d) Ten percent to counties in such shares as their respective populations bear to the total  
21 population of the state, as estimated from time to time by the State Board of Higher Education; and

22 *[(d)]* (e) Fourteen percent to the cities of the state to be distributed as provided in ORS 221.770  
23 and this section.

24 (2) The commission shall direct the Oregon Department of Administrative Services to transfer 50  
25 percent of the revenues from the taxes imposed by ORS 473.030, 473.035 and 473.040 to the Mental

1 Health Alcoholism and Drug Services Account in the General Fund to be paid monthly as provided in  
2 ORS 430.380.

3 (3) If the amount of revenues received from the taxes imposed by ORS 473.030 for the preceding  
4 month were reduced as a result of credits claimed under ORS 473.047, the commission shall compute the  
5 difference between the amounts paid or transferred as described in subsections (1)(b), (c) and (d) and (2)  
6 of this section and the amounts that would have been paid or transferred under subsections (1)(b), (c) and  
7 (d) and (2) of this section if no credits had been claimed. The commission shall direct the Oregon  
8 Department of Administrative Services to pay or transfer amounts equal to the differences computed for  
9 subsections (1)(b), (c) and (d) and (2) of this section from the General Fund to the recipients or accounts  
10 described in subsections (1)(b), (c) and (d) and (2) of this section.

11 (4) Notwithstanding subsection (1) of this section, no city or county shall receive for any fiscal  
12 year an amount less than the amount distributed to the city or county in accordance with ORS 471.350  
13 (1965 Replacement Part), 471.810, 473.190 and 473.210 (1965 Replacement Part) during the 1966-1967  
14 fiscal year unless the city or county had a decline in population as shown by its census. If the population  
15 declined, the per capita distribution to the city or county shall be not less than the total per capita  
16 distribution during the 1966-1967 fiscal year. Any additional funds required to maintain the level of  
17 distribution under this subsection shall be paid from funds credited under subsection (1)(a) of this section.

18 **SECTION 2. Sections 3 and 4 of this 2007 Act are added to and made a part of ORS**  
19 **chapter 471.**

20 **SECTION 3. (1) The Alcohol Proceeds Distribution Fund is established in the State**  
21 **Treasury, separate and distinct from the General Fund.**

22 **(2) Moneys in the Alcohol Proceeds Distribution Fund are continuously appropriated to the**  
23 **Oregon Criminal Justice Commission for distribution under Section 4 of this 2007 Act.**

24 **SECTION 4. (1) Revenue received pursuant to ORS 471.810(1)(b) may be used only for the**  
25 **following purposes:**

26 **(a) Alcohol or drug addiction prevention;**

27 **(b) Alcohol or drug addiction treatment;**

28 **(c) Law enforcement and criminal justice programs that apply to persons with alcohol or**  
29 **drug addiction.**

30 **(2) The use of revenues received from ORS 471.810(1)(b) shall be determined by the Oregon**  
31 **Criminal Justice Commission, except that the commission may not allocate less than 30 percent or**  
32 **more than 37 percent of the total amount of funds to be allocated annually to any one category of**  
33 **authorized uses under subsection (1) of this section.**

1            **SECTION 5.** This 2007 Act takes effect on the 91st day after the date on which the regular  
2 session of the Seventy-fourth Legislative Assembly adjourns sine die.

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