

## For your information

### The Oregon Liquor Control Commission has:

Amended  
 Adopted  
 Suspended

**OAR 845-025-1160**  
**PERMANENT**

Effective Date: February 1, 2020

Note: **Bold and underlined** = new text; *~~italics and strikethrough~~* = deleted text

#### **845-025-1160**

#### **Notification of Changes**

(1) An applicant or licensee must notify the Commission in writing within 10 calendar days of any of the following:

(a) A change in any contact information for anyone listed in an application or subsequently identified as an applicant *or an individual with a financial interest*;

(b) A disciplinary proceeding or licensing enforcement action by another governmental entity that may affect the *licensee's* business;

(c) The temporary closure of the business for longer than 30 days; or

(d) The permanent closure of the business.

(2) An applicant or licensee must notify the Commission in a manner prescribed by the Commission within 24 hours of **an ~~the~~-arrest, a citation issued in lieu of arrest, or a** conviction for any misdemeanor or felony of an individual listed in an application or subsequently identified as an applicant, licensee or individual with a financial interest. Violation of this section is a Category I violation.

(3) A licensee must notify the Commission in a manner prescribed by the Commission as soon as reasonably practical and in no case more than 24 hours from the theft of marijuana items or money from the licensed premises.

(4) Changes in Financial Interest or Business Structure.

(a) A licensee that proposes to change its corporate structure, ownership structure or change who has a financial interest in the business must submit:

(A) A form prescribed by the Commission; and

(B) Any information identified in the form to be submitted, to the Commission, prior to making such a change.

(b) The Commission must review the form and other information submitted under subsection (1) of this rule, and will approve the change if the change would not result in an initial or renewal application denial under OAR 845-025-1115, or serve as the basis of a license suspension or revocation.

(c) If the Commission denies the change but the licensee proceeds with the change, licensee must surrender the license or the Commission will propose to suspend or revoke the license.

(d) The Commission may refuse to accept a form for a change in corporate structure or financial interest if the license is expiring in less than 90 days, the licensee is under investigation by the Commission, or has been issued a Notice by the Commission following an alleged violation and the alleged violation has not been resolved.

(e) A new application must be submitted in accordance with OAR 845-025-1030 if a licensee:

(A) Has a change in ownership that is 51% or greater; or

(B) Has more than one change of business structure within a year from the date the license was first issued or renewed that cumulatively results in a change of ownership that is 51% or greater.

(5) Change of Location.

(a) A licensee who wishes to change the location of the licensed premises must submit a completed application for the new premises including all required forms and documents and the fee specified in OAR 845-025-1060, but does not need to submit information and fingerprints required for a criminal background check if there are no changes to the individuals listed on the initial application.

**(b) If a licensee loses access to the licensed premises, the Commission may allow the licensee to change location if:**

**(A) The licensee submits written notice, in a form and manner prescribed by the Commission, at least 15 days in advance of losing access;**

**(B) The licensee removes all marijuana items from the licensed premises in compliance with ORS Chapter 475B and these rules prior to losing access;**

**(C) The licensee is not under investigation for suspected violations of any provision of ORS Chapter 475B or these rules and does not have pending administrative violations;**

**(D) The licensee supplies documentation showing legal access to a new proposed location within 30 days of losing access to the licensed premises; and**

**(E) The licensee submits a Land Use Compatibility Statement for the new proposed location from the city or county that authorizes land use where the new location is located and the use is not prohibited.**

**(c)** ~~(b)~~ The Commission must approve any change of location prior to licensee beginning business operations in the new location.

(6) Addition or Change of Trade Name.

(a) A licensee must notify and receive approval from the Commission on a form prescribed by the Commission prior to any changes or additions to the business trade name.

(b) The Commission may deny any addition or change to a business trade name.

Statutory/Other Authority: ORS 475B.025

Statutes/Other Implemented: ORS 475B.055 & 475B.045