

**PROPOSED AMENDMENTS TO
HOUSE BILL 3400**

1 On page 45 of the typed amendments to House Bill 3400 dated May 18 (HB
2 3400-1), delete lines 4 through 30 and insert:

3 **“NOTE:** Section 58 was deleted by amendment. Subsequent sections were
4 not renumbered.”.

5 On page 46, delete lines 1 through 8.

6 On page 101, after line 29, insert:

7 **“SECTION 130a. (1) Subject to subsection (2) of this section, the**
8 **governing body of a city or county may adopt ordinances that prohibit**
9 **the establishment of any one or more of the following in the area**
10 **subject to the jurisdiction of the city or county:**

11 **“(a) Marijuana producers licensed under section 19, chapter 1,**
12 **Oregon Laws 2015;**

13 **“(b) Marijuana processors licensed under section 20, chapter 1,**
14 **Oregon Laws 2015;**

15 **“(c) Marijuana wholesalers licensed under section 21, chapter 1,**
16 **Oregon Laws 2015; or**

17 **“(d) Marijuana retailers licensed under section 22, chapter 1, Oregon**
18 **Laws 2015.**

19 **“(2) The governing body of a city or county must adopt an ordi-**
20 **nance under this section no later than 180 days after the effective date**
21 **of this 2015 Act.**

22 **“SECTION 130b.** Section 60, chapter 1, Oregon Laws 2015, is amended to

1 read:

2 “**Sec. 60.** *[(1) The governing body of a city or a county, when a petition is*
3 *filed as provided in this section, shall order an election on the question*
4 *whether the operation of licensed premises shall be prohibited in the city or*
5 *county.]*

6 “*[(2) Except as provided in subsections (3), (4) and (5) of this section, the*
7 *requirements for preparing, circulating and filing a petition under this*
8 *section:]*

9 “*[(a) In the case of a city, shall be as provided for an initiative petition*
10 *under ORS 250.265 to 250.346.]*

11 “*[(b) In the case of a county, shall be as provided for an initiative petition*
12 *under ORS 250.165 to 250.235.]*

13 “*[(3) A petition under subsection (2) of this section:]*

14 “*[(a) Must be filed not less than 60 days before the day of the election;*
15 *and]*

16 “*[(b) Must be signed by not less than 10 percent of the electors registered*
17 *in the city or county.]*

18 “*[(4) If ORS 250.155 makes ORS 250.165 to 250.235 inapplicable to a county*
19 *or if ORS 250.255 makes ORS 250.265 to 250.346 inapplicable to a city, the*
20 *requirements for preparing, circulating and filing a petition under this section*
21 *shall be as provided for an initiative petition under the county or city charter*
22 *or an ordinance adopted under the county or city charter.]*

23 “*[(5) No signature is valid unless signed within 180 days before the petition*
24 *is filed.]*

25 “*[(6) An election under this section shall be held at the time of the next*
26 *statewide general election.]*

27 “*[(7) An election under this section shall be conducted under ORS chapters*
28 *246 to 260.]*

29 “**(1) The governing body of a city or county, when a petition is filed**
30 **as provided in this section, shall order an election on the question of**

1 whether the operation of any one or more of the following shall be
2 prohibited in the city or county:

3 “(a) Marijuana producers licensed under section 19, chapter 1,
4 Oregon Laws 2015;

5 “(b) Marijuana processors licensed under section 20, chapter 1,
6 Oregon Laws 2015;

7 “(c) Marijuana wholesalers licensed under section 21, chapter 1,
8 Oregon Laws 2015; or

9 “(d) Marijuana retailers licensed under section 22, chapter 1, Oregon
10 Laws 2015.

11 “(2) Except as provided in subsections (3), (4) and (5) of this section,
12 the requirements for preparing, circulating and filing a petition under
13 this section:

14 “(a) In the case of a city, shall be as provided for an initiative pe-
15 tition under ORS 250.265 to 250.346.

16 “(b) In the case of a county, shall be as provided for an initiative
17 petition under ORS 250.165 to 250.235.

18 “(3) A petition prepared, circulated and filed under subsection (2)
19 of this section:

20 “(a) Must be filed not less than 60 days before the day of the
21 election; and

22 “(b) Must be signed by not less than four percent of the electors
23 registered in the city or county.

24 “(4) If ORS 250.155 makes ORS 250.165 to 250.235 inapplicable to a
25 county or if ORS 250.255 makes ORS 250.265 to 250.346 inapplicable to
26 a city, the requirements for preparing, circulating and filing a petition
27 under this section shall be as provided for an initiative petition under
28 the county or city charter or an ordinance adopted under the county
29 or city charter.

30 “(5) No signature is valid unless signed within 180 days before the

1 **petition is filed.**

2 **“(6) An election held pursuant to this section shall be held at the**
3 **time of the next statewide general election.**

4 **“(7) An election held pursuant to this section shall be conducted**
5 **under ORS chapters 246 to 260.**

6 **“(8) The filing of a petition under subsection (2) of this section does**
7 **not suspend any city or county ordinance prohibiting or allowing**
8 **marijuana producers, marijuana processors, marijuana wholesalers or**
9 **marijuana retailers. In each city or county that returns a majority**
10 **vote to prohibit or allow the operation of marijuana producers,**
11 **marijuana processors, marijuana wholesalers or marijuana retailers,**
12 **the ordinance takes effect January 1 following the date of the state-**
13 **wide general election.”.**

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