

**PROPOSED AMENDMENTS TO
HOUSE BILL 3400**

1 On page 1 of the printed bill, line 2, after “marijuana;” delete the rest of
2 the line and lines 3 through 5 and insert “; and declaring an emergency.”.

3 Delete lines 7 through 27 and delete pages 2 through 33 and insert:

4 **“SECTION 1. As used in sections 1 to 4 of this 2015 Act:**

5 **“(1) ‘Limited marijuana retail product’ means:**

6 **“(a) The dried leaves and flowers of marijuana; or**

7 **“(b) A marijuana plant that is not flowering.**

8 **“(2) ‘Marijuana’ means the plant Cannabis family Cannabaceae, any**
9 **part of the plant Cannabis family Cannabaceae and the seeds of the**
10 **plant Cannabis family Cannabaceae.**

11 **“SECTION 2. (1) Notwithstanding any other provision of law, a**
12 **medical marijuana facility registered under ORS 475.314 may sell lim-**
13 **ited marijuana retail products to a person who is 21 years of age or**
14 **older if:**

15 **“(a) The person presents proof of age to the medical marijuana fa-**
16 **cility at the time of the sale;**

17 **“(b) The medical marijuana facility verifies that the person is 21**
18 **years of age or older at the time of the sale; and**

19 **“(c) The medical marijuana facility is located within the jurisdiction**
20 **of a city or county that has not adopted an ordinance prohibiting sales**
21 **as described in this subsection.**

22 **“(2) For purposes of this section, proof of age may be substantiated**

1 by presenting to a registered medical marijuana facility acceptable
2 proof of age adopted by the Oregon Liquor Control Commission by
3 rule.

4 “(3) The Oregon Health Authority and the commission shall enter
5 into an agreement under which the commission may conduct an onsite
6 inspection of the premises where a registered medical marijuana fa-
7 cility is located to ensure that the medical marijuana facility is in
8 compliance with applicable provisions of law or rules as described in
9 section 4 of this 2015 Act.

10 **“SECTION 3. (1) Notwithstanding any other provision of law, a**
11 **marijuana grow site registered under ORS 475.304 may sell limited**
12 **marijuana retail products to a medical marijuana facility registered**
13 **under ORS 475.314 for purposes described in section 2 of this 2015 Act**
14 **if:**

15 “(a) The person responsible for the marijuana grow site under ORS
16 475.304 obtains the consent of the registry identification cardholder for
17 whom the person responsible for the marijuana grow site produces or
18 processes the limited marijuana retail products;

19 “(b) Subject to subsection (2) of this section, the person responsible
20 for the marijuana grow site applies to the Oregon Liquor Control
21 Commission in a form and manner prescribed by the commission; and

22 “(c) The commission determines that the person responsible for the
23 marijuana grow site is qualified to sell limited marijuana retail pro-
24 ducts to a registered medical marijuana facility for purposes described
25 in section 2 of this 2015 Act.

26 “(2) For purposes of this section, obtaining consent as described in
27 subsection (1)(a) of this section constitutes an assignment of the right
28 to possess the limited marijuana retail products.

29 “(3) In prescribing the form and manner of making an application
30 under subsection (1)(b) of this section, the commission shall require

1 an applicant to complete an online application.

2 “(4) If the commission determines that an applicant under this
3 section is qualified to sell limited marijuana retail products to a reg-
4 istered medical marijuana facility for purposes described in section 2
5 of this 2015 Act, the commission shall provide the applicant with a
6 certificate that verifies that the applicant is qualified to sell limited
7 marijuana retail products to a registered medical marijuana facility.

8 “(5) The commission may conduct an onsite inspection of the
9 premises where an applicant or holder of a certificate produces or
10 processes marijuana under this section to ensure that the applicant
11 or holder of the certificate is in compliance with applicable provisions
12 of law or rules as described in section 4 of this 2015 Act.

13 **“SECTION 4. (1) A medical marijuana facility registered under ORS**
14 **475.314 that makes sales of limited marijuana retail products as de-**
15 **scribed in section 2 of this 2015 Act is subject to any applicable pro-**
16 **vision of sections 3 to 70, chapter 1, Oregon Laws 2015, or any rule**
17 **adopted under sections 3 to 70, chapter 1, Oregon Laws 2015, related**
18 **to the regulation of a person who holds a license under section 22,**
19 **chapter 1, Oregon Laws 2015, including any provision or rule related**
20 **to the imposition of a tax on the sale of limited marijuana retail pro-**
21 **ducts by a person who holds a license under section 22, chapter 1,**
22 **Oregon Laws 2015.**

23 “(2) A marijuana grow site registered under ORS 475.304 that makes
24 sales of limited marijuana retail products as described in section 2 of
25 this 2015 Act is subject to any applicable provision of sections 3 to 70,
26 chapter 1, Oregon Laws 2015, or any rule adopted under sections 3 to
27 70, chapter 1, Oregon Laws 2015, related to the regulation of a person
28 who holds a license under section 19, chapter 1, Oregon Laws 2015,
29 including any provision or rule related to the imposition of a tax on
30 the production or processing of limited marijuana retail products by

1 a person who holds a license under section 19, chapter 1, Oregon Laws
2 2015.

3 **“SECTION 5. Sections 1 to 4 of this 2015 Act are repealed on De-**
4 **cember 31, 2016.**

5 **“SECTION 6. This 2015 Act being necessary for the immediate**
6 **preservation of the public peace, health and safety, an emergency is**
7 **declared to exist, and this 2015 Act takes effect on its passage.”.**

8
