

**PROPOSED AMENDMENTS TO
SENATE BILL 844**

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest
2 of the line and insert “and declaring an emergency.”.

3 Delete lines 4 through 14 and insert:

4 **“SECTION 1. (1) As used in this section:**

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

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

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

8 **“(b) ‘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 **“(c) ‘Medical marijuana dispensary’ means an entity registered with**
12 **the Oregon Health Authority under ORS 475.314.**

13 **“(2) Notwithstanding any other provision of law, on and after July**
14 **1, 2015, a medical marijuana dispensary may sell limited marijuana**
15 **retail product to a person who is 21 years of age or older if:**

16 **“(a) The person presents proof of age to the medical marijuana**
17 **dispensary before entering into the medical marijuana dispensary;**

18 **“(b) The medical marijuana dispensary verifies that the person is**
19 **21 years of age or older at the time of the sale;**

20 **“(c) If the person is purchasing the dried leaves and flowers of**
21 **marijuana, the medical marijuana dispensary sells no more than one-**
22 **quarter ounce of limited marijuana retail product to the person per**

1 day; and

2 “(d) If the person is purchasing a marijuana plant that is not
3 flowering, the medical marijuana dispensary sells no more than four
4 units of limited marijuana retail product to the person.

5 “(3) A medical marijuana dispensary that makes sales as described
6 in this section must keep a record of each sale made pursuant to this
7 section. At a minimum, the record must include:

8 “(a) The amount or number of limited marijuana retail product sold
9 to each person to whom the medical marijuana dispensary sold limited
10 marijuana retail product; and

11 “(b) The name of the person to whom the medical marijuana
12 dispensary sold limited marijuana retail product.

13 “(4) The authority may inspect a record kept by a medical
14 marijuana dispensary under this section at any time during the med-
15 ical marijuana dispensary’s normal hours of operation to ensure that
16 the medical marijuana dispensary is in compliance with this section.

17 “(5) Subject to ORS chapter 183, the authority may revoke or sus-
18 pend the registration of a medical marijuana dispensary if the medical
19 marijuana dispensary violates this section.

20 “(6) A city or county may adopt ordinances prohibiting the sale of
21 limited marijuana retail product as described in this section in the
22 area subject to the jurisdiction of the city or the unincorporated area
23 subject to the jurisdiction of the county.

24 “SECTION 2. If House Bill 2041 becomes law, section 1 of this 2015 Act
25 is amended to read:

26 “**Sec. 1.** (1) As used in this section:

27 “(a) ‘Limited marijuana retail product’ means:

28 “(A) The dried leaves and flowers of marijuana; and

29 “(B) A marijuana plant that is not flowering.

30 “(b) ‘Marijuana’ means the plant Cannabis family Cannabaceae, any part

1 of the plant Cannabis family Cannabaceae and the seeds of the plant
2 Cannabis family Cannabaceae.

3 “(c) ‘Medical marijuana dispensary’ means an entity registered with the
4 Oregon Health Authority under ORS 475.314.

5 “(2) Notwithstanding any other provision of law, on and after July 1, 2015,
6 a medical marijuana dispensary may sell limited marijuana retail product to
7 a person who is 21 years of age or older if:

8 “(a) The person presents proof of age to the medical marijuana dispensary
9 before entering into the medical marijuana dispensary;

10 “(b) The medical marijuana dispensary verifies that the person is 21 years
11 of age or older at the time of the sale;

12 “(c) If the person is purchasing the dried leaves and flowers of marijuana,
13 the medical marijuana dispensary sells no more than one quarter ounce of
14 limited marijuana retail product to the person per day; [and]

15 “(d) If the person is purchasing a marijuana plant that is not flowering,
16 the medical marijuana dispensary sells no more than one unit of limited
17 marijuana retail product to the person[.]; **and**

18 **“(e) At any time after the Department of Revenue implements and**
19 **is capable of administering sections 1 to 13, chapter __, Oregon Laws**
20 **2015 (Enrolled House Bill 2041), the medical marijuana dispensary col-**
21 **lects the tax imposed under section 2, chapter __, Oregon Laws 2015**
22 **(Enrolled House Bill 2041), in the same manner that a marijuana**
23 **retailer that holds a license under section 22, chapter 1, Oregon Laws**
24 **2015, collects the tax imposed under section 2, chapter __, Oregon**
25 **Laws 2015 (Enrolled House Bill 2041).**

26 “(3) A medical marijuana dispensary that makes sales as described in this
27 section must keep a record of each sale made pursuant to this section. At a
28 minimum, the record must include:

29 “(a) The amount or number of limited marijuana retail product sold to
30 each person to whom the medical marijuana dispensary sold limited

1 marijuana retail product; and

2 “(b) The name of the person to whom the medical marijuana dispensary
3 sold limited marijuana retail product.

4 “(4) The authority may inspect a record kept by a medical marijuana
5 dispensary under this section at any time during the medical marijuana
6 dispensary’s normal hours of operation to ensure that the medical marijuana
7 dispensary is in compliance with this section.

8 “(5) Subject to ORS chapter 183, the authority may revoke or suspend the
9 registration of a medical marijuana dispensary if the medical marijuana
10 dispensary violates this section.

11 **“(6) A medical marijuana dispensary that collects taxes as required
12 by this section is subject to the provisions of sections 1 to 13, chapter
13 ___, Oregon Laws 2015 (Enrolled House Bill 2041).**

14 “[~~(6)~~] (7) A city or county may adopt ordinances prohibiting the sale of
15 limited marijuana retail product as described in this section in the area
16 subject to the jurisdiction of the city or the unincorporated area subject to
17 the jurisdiction of the county.

18 **“SECTION 3. (1) Section 1 of this 2015 Act is repealed on December
19 31, 2016.**

20 **“(2) If House Bill 2041 becomes law, section 1 of this 2015 Act, as
21 amended by section 2 of this 2015 Act, is repealed on December 31, 2016.**

22 **“SECTION 4. This 2015 Act being necessary for the immediate
23 preservation of the public peace, health and safety, an emergency is
24 declared to exist, and this 2015 Act takes effect on its passage.”.**

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