

SENATE AMENDMENTS TO SENATE BILL 863

By JOINT COMMITTEE ON MARIJUANA REGULATION

March 17

1 On page 1 of the printed bill, delete lines 4 through 28 and delete page 2 and insert:

2 **“SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 475B.010 to**
3 **475B.395.**

4 **“SECTION 2. (1) As used in this section, ‘information that may be used to identify a**
5 **consumer’ means information that may be acquired through the production of a piece of**
6 **identification as described in ORS 475B.170, whether the information is contained in a piece**
7 **of identification described in ORS 475B.170 or in a different document or record.**

8 **“(2) A consumer may not be required to procure for the purpose of acquiring or pur-**
9 **chasing a marijuana item a piece of identification other than:**

10 **“(a) A piece of identification described in ORS 475B.170; and**

11 **“(b) If the consumer is a registry identification cardholder, as defined in ORS 475B.410,**
12 **a registry identification card, as defined in ORS 475B.410.**

13 **“(3) A marijuana retailer may not record and retain any information that may be used**
14 **to identify a consumer.**

15 **“(4) A marijuana retailer may not transfer any information that may be used to identify**
16 **a consumer to any other person.**

17 **“(5)(a) Notwithstanding subsection (3) of this section, a marijuana retailer may record**
18 **and retain the name and contact information of a consumer for the purpose of notifying the**
19 **consumer of services that the marijuana retailer provides or of discounts, coupons and other**
20 **marketing information if:**

21 **“(A) The marijuana retailer asks the consumer whether the marijuana retailer may re-**
22 **cord and retain the information; and**

23 **“(B) The consumer consents to the recording and retention of the information.**

24 **“(b) This subsection does not authorize a marijuana retailer to transfer information that**
25 **may be used to identify a consumer.**

26 **“(6) This section does not apply to deidentified information the documentation and**
27 **transfer of which is required by the Department of Revenue for purposes of section 2,**
28 **chapter 91, Oregon Laws 2016.**

29 **“SECTION 3. (1) Not later than 30 days after the effective date of this 2017 Act, a**
30 **marijuana retailer must destroy any information described in section 2 (1) of this 2017 Act**
31 **in the marijuana retailer’s possession on the effective date of this 2017 Act.**

32 **“(2) A marijuana retailer may not transfer any information described in section 2 (1) of**
33 **this 2017 Act in the marijuana retailer’s possession on or after the effective date of this 2017**
34 **Act to any other person.**

35 **“SECTION 4. This 2017 Act being necessary for the immediate preservation of the public**

1 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
2 **on its passage.”**

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