

Requested by Representative WILSON

**PROPOSED AMENDMENTS TO
SENATE BILL 1015**

1 On page 1 of the printed bill, line 2, after “475B.410” insert “and sections
2 3, 4, 5 and 6, chapter ___, Oregon Laws 2017 (Enrolled Senate Bill 302)”.

3 Delete lines 6 through 18 and insert:

4 **“SECTION 2. (1) As used in this section, ‘cannabinoid
5 concentrate,’ ‘cannabinoid extract,’ ‘licensee’ and ‘marijuana
6 processor’ have the meanings given those terms in ORS 475B.015.**

7 **“(2) A grower registered under ORS 571.305 may deliver industrial
8 hemp to a marijuana processor that holds a license issued under ORS
9 475B.090 for the purpose of having the industrial hemp processed into
10 a cannabinoid concentrate or cannabinoid extract if:**

11 **“(a) The marijuana processor is registered with the Oregon Liquor
12 Control Commission, in a form and manner prescribed by the com-
13 mission, for the purpose of processing industrial hemp into
14 cannabinoid concentrates and cannabinoid extracts;**

15 **“(b) The marijuana processor is provided with the results of any
16 test conducted on the industrial hemp pursuant to ORS 571.300 to
17 571.315 before the marijuana processor processes the industrial hemp;**

18 **“(c) The marijuana processor keeps the results of any test that the
19 marijuana processor receives pursuant to paragraph (b) of this sub-
20 section in a form and manner prescribed by the commission;**

21 **“(d) The industrial hemp is tracked using the system developed and**

1 maintained under ORS 475B.150 when the industrial hemp is delivered
2 to the premises of the marijuana processor; and

3 “(e) The grower and the marijuana processor meet any other re-
4 quirement established by the commission by rule.

5 “(3) Industrial hemp processed into a cannabinoid concentrate or
6 cannabinoid extract pursuant to subsection (2) of this section may be
7 delivered by a marijuana processor that holds a license issued under
8 ORS 475B.090 to a licensee as described in ORS 475B.160, provided that
9 the cannabinoid concentrate or cannabinoid extract meets any re-
10 quirements for cannabinoid concentrates and cannabinoid extracts set
11 forth in ORS 475B.010 to 475B.395, 475B.550 to 475B.590 and 475B.600 to
12 475B.655 and rules adopted under ORS 475B.010 to 475B.395, 475B.550 to
13 475B.590 and 475B.600 to 475B.655.

14 “(4) Industrial hemp processed into a cannabinoid concentrate or
15 cannabinoid extract pursuant to subsection (2) of this section may be
16 delivered by a marijuana processor that holds a license issued under
17 ORS 475B.090 to a handler registered under ORS 571.305 if:

18 “(a) The processing of industrial hemp into the cannabinoid con-
19 centrate or cannabinoid extract occurred independently of any pro-
20 cessing of marijuana;

21 “(b) The cannabinoid concentrate or cannabinoid extract has been
22 tested in accordance with ORS 475B.550 to 475B.590;

23 “(c) The cannabinoid concentrate or cannabinoid extract is recorded
24 using the system developed and maintained under ORS 475B.150 before
25 the cannabinoid concentrate or cannabinoid extract is delivered;

26 “(d) The concentration of tetrahydrocannabinol of the cannabinoid
27 concentrate or cannabinoid extract does not exceed a percentage es-
28 tablished by the commission by rule; and

29 “(e) The handler and the marijuana processor meet any other re-
30 quirement established by the commission by rule.

1 “(5) The commission may adopt fees for the purpose of administer-
2 ing this section, including a fee imposed on marijuana processors at
3 the time of registration with the commission as described in sub-
4 section (2)(a) of this section and a fee imposed on growers registered
5 under ORS 571.305 at the time that the grower’s industrial hemp is
6 first tracked using the system developed and maintained under ORS
7 475B.150.”.

8 On page 6, after line 17, insert:

9 “**SECTION 5.** Section 3, chapter ___, Oregon Laws 2017 (Enrolled Senate
10 Bill 302), is amended to read:

11 “**Sec. 3.** (1) Except for licensees and licensee representatives acting in
12 accordance with ORS 475B.010 to 475B.395 and any rule adopted under ORS
13 475B.010 to 475B.395 and handlers registered under ORS 571.305 acting
14 in accordance with ORS 571.300 to 571.315 and any rule adopted under
15 ORS 571.300 to 571.315, it is unlawful for any person 21 years of age or older
16 to possess, knowingly or intentionally:

17 “(a) An amount of marijuana plants in excess of the amount allowed un-
18 der ORS 475B.245 (1).

19 “(b) More than one ounce of usable marijuana in a public place.

20 “(c) More than eight ounces of usable marijuana.

21 “(d) More than 16 ounces of cannabinoid products in solid form or
22 cannabinoid concentrates.

23 “(e) More than 72 ounces of cannabinoid products in liquid form.

24 “(f) More than one ounce of cannabinoid extracts.

25 “(g) A cannabinoid extract that was not purchased from a marijuana
26 retailer that holds a license issued under ORS 475B.110.

27 “(2) Except as provided in subsection (3) of this section, unlawful pos-
28 session of a marijuana item is a Class A misdemeanor.

29 “(3) Unlawful possession of a marijuana item is:

30 “(a) A Class B violation, if the amount possessed is not more than two

1 times the applicable maximum amount specified in subsection (1)(a) to (f) of
2 this section.

3 “(b) A Class B misdemeanor, if the amount possessed is more than two
4 times, but not more than four times, the applicable maximum amount speci-
5 fied in subsection (1)(a) to (f) of this section.

6 “(c) A Class C felony, if the amount possessed is:

7 “(A) More than 16 times the applicable maximum amount specified in
8 subsection (1)(a), (c), (d), (e) or (f) of this subsection;

9 “(B) More than eight pounds of usable marijuana in a public place; or

10 “(C) More than one-quarter ounce of cannabinoid extract that was not
11 purchased from a marijuana retailer that holds a license issued under ORS
12 475B.110.

13 **“SECTION 6.** Section 4, chapter ___, Oregon Laws 2017 (Enrolled Senate
14 Bill 302), is amended to read:

15 **“Sec. 4.** (1) Except for licensees and licensee representatives acting in
16 accordance with ORS 475B.010 to 475B.395 and any rule adopted under ORS
17 475B.010 to 475B.395 **and handlers registered under ORS 571.305 acting**
18 **in accordance with ORS 571.300 to 571.315 and any rule adopted under**
19 **ORS 571.300 to 571.315**, it is unlawful for any person under 21 years of age
20 to possess, knowingly or intentionally:

21 “(a) An amount of marijuana plants in excess of the amount allowed un-
22 der ORS 475B.245 (1).

23 “(b) More than one ounce of usable marijuana in a public place.

24 “(c) More than eight ounces of usable marijuana.

25 “(d) More than 16 ounces of cannabinoid products in solid form or
26 cannabinoid concentrates.

27 “(e) More than 72 ounces of cannabinoid products in liquid form.

28 “(f) More than one ounce of cannabinoid extracts.

29 “(g) A cannabinoid extract that was not purchased from a marijuana
30 retailer that holds a license under ORS 475B.110.

1 “(2) Except as provided in subsection (3) of this section, unlawful pos-
2 session of a marijuana item by a person under 21 years of age is a Class A
3 misdemeanor.

4 “(3) Unlawful possession of a marijuana item by a person under 21 years
5 of age is a Class C felony, if the amount possessed is:

6 “(a) More than 16 times the applicable maximum amount specified in
7 subsection (1)(a), (c), (d), (e) or (f) of this subsection;

8 “(b) More than eight pounds of usable marijuana in a public place; or

9 “(c) More than one-quarter ounce of cannabinoid extract that was not
10 purchased from a marijuana retailer that holds a license issued under ORS
11 475B.110.

12 **“SECTION 7.** Section 5, chapter ___, Oregon Laws 2017 (Enrolled Senate
13 Bill 302), is amended to read:

14 **“Sec. 5.** (1) Except for licensees and licensee representatives acting in
15 accordance with ORS 475B.010 to 475B.395 and any rule adopted under ORS
16 475B.010 to 475B.395 **and handlers registered under ORS 571.305 acting**
17 **in accordance with ORS 571.300 to 571.315 and any rule adopted under**
18 **ORS 571.300 to 571.315**, and except for a person acting within the scope of
19 and in compliance with ORS 475B.245, it is unlawful for any person to de-
20 liver a marijuana item.

21 “(2) Except as provided in subsection (3) of this section, unlawful delivery
22 of a marijuana item is a Class A misdemeanor.

23 “(3) Unlawful delivery of a marijuana item is:

24 “(a) A Class B misdemeanor, if a person 21 years of age or older unlaw-
25 fully delivers usable marijuana, for no consideration, to a person 21 years
26 of age or older, and the total amount of usable marijuana delivered is not
27 more than twice the amount described in ORS 475B.245 (7).

28 “(b) A Class C felony, if:

29 “(A) The delivery involves:

30 “(i) More than 16 times the applicable maximum amount specified in

1 section 3 (1)(a), (c), (d), (e) or (f), **chapter ____, Oregon Laws 2017 (En-**
2 **rolled Senate Bill 302)** [of this of this 2017 Act];

3 “(ii) More than eight pounds of usable marijuana in a public place; or

4 “(iii) More than one-quarter ounce of cannabinoid extract that was not
5 purchased from a marijuana retailer that holds a license issued under ORS
6 475B.110.

7 “(B) The marijuana item is delivered to a person under 21 years of age,
8 unless the person delivering the marijuana item is under 24 years of age at
9 the time of the delivery and delivers not more than one ounce of usable
10 marijuana, for no consideration, to a person who is 16 years of age or older.

11 **“SECTION 8.** Section 6, chapter ____, Oregon Laws 2017 (Enrolled Senate
12 Bill 302), is amended to read:

13 **“Sec. 6.** (1) Except for licensees and licensee representatives acting in
14 accordance with ORS 475B.010 to 475B.395 and any rule adopted under ORS
15 475B.010 to 475B.395 **and handlers registered under ORS 571.305 acting**
16 **in accordance with ORS 571.300 to 571.315 and any rule adopted under**
17 **ORS 571.300 to 571.315**, and except for a person acting within the scope of
18 and in compliance with ORS 475B.245, it is unlawful for any person to
19 manufacture a marijuana item.

20 “(2) Except as provided in subsection (3) of this section, unlawful manu-
21 facture of a marijuana item is a Class A misdemeanor.

22 “(3) Unlawful manufacture of a marijuana item is:

23 “(a) A Class B misdemeanor, if a person 21 years of age or older unlaw-
24 fully manufactures homegrown marijuana at a household and the total
25 number of homegrown marijuana plants at the household exceeds four
26 marijuana plants but does not exceed eight marijuana plants.

27 “(b) A Class C felony, if:

28 “(A) A person unlawfully manufactures marijuana and the total number
29 of marijuana plants exceeds 12 marijuana plants; or

30 “(B) A person unlawfully manufactures a cannabinoid product or a

1 cannabinoid concentrate and the total amount of cannabinoid products or the
2 total amount of cannabinoid concentrates exceeds twice the applicable max-
3 imum amount specified in section 3 (1)(d), (e) or (f), **chapter __, Oregon**
4 **Laws 2017 (Enrolled Senate Bill 302)** [*of this 2017 Act*].

5 “(c) A Class B felony, if a person unlawfully manufactures a cannabinoid
6 extract.”.

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