

Requested by Senator FERRIOLI

**PROPOSED AMENDMENTS TO  
SENATE BILL 307**

1 On page 1 of the printed bill, line 2, after “amending” delete the rest of  
2 the line and lines 3 through 10 and insert “ORS 475B.015, 475B.063, 475B.125,  
3 475B.160, 475B.280, 475B.340, 475B.575, 475B.635 and 475B.645 and sections 2  
4 and 3, chapter 97, Oregon Laws 2016; and prescribing an effective date.”.

5 Delete lines 12 through 22 and delete pages 2 through 33 and insert:  
6

7 **“SMOKING VENUES**  
8

9 **“SECTION 1. Sections 2 to 4 of this 2017 Act are added to and made  
10 a part of ORS 475B.010 to 475B.395.**

11 **“SECTION 2. (1) The consumption of marijuana items at a venue  
12 is subject to regulation by the Oregon Liquor Control Commission.**

13 **“(2) To provide for the consumption of marijuana items at a venue,  
14 a person must have a license issued by the commission for the prem-  
15 ises at which the consumption occurs. To hold a license under this  
16 section:**

17 **“(a) The applicant:**

18 **“(A) Must apply for the license in the manner described in ORS  
19 475B.040; and**

20 **“(B) Must provide proof that the applicant is 21 years of age or  
21 older;**

1       **“(b) The premises at which the venue is located:**  
2       **“(A) May not be located in an area that is zoned exclusively for**  
3 **residential use; and**  
4       **“(B) May not be located within 1,000 feet of:**  
5       **“(i) A public elementary or secondary school for which attendance**  
6 **is compulsory under ORS 339.020; or**  
7       **“(ii) A private or parochial elementary or secondary school, teach-**  
8 **ing children as described in ORS 339.030 (1)(a); and**  
9       **“(c) The applicant and the premises at which the venue is located**  
10 **must meet the requirements of any rule adopted by the commission**  
11 **under subsection (3) of this section.**  
12       **“(3) The commission shall adopt rules that:**  
13       **“(a) Require a person that holds a license issued under this section**  
14 **to renew the license annually;**  
15       **“(b) Establish application, licensure and renewal of licensure fees**  
16 **for a license issued under this section;**  
17       **“(c) Allow a premises for which a license has been issued under this**  
18 **section to be located at the same address as the premises for which a**  
19 **license is issued under ORS 475B.110;**  
20       **“(d) Require marijuana items sold on a premises for which a license**  
21 **has been issued under this section to be sold by a marijuana retailer**  
22 **that holds a license issued under ORS 475B.110;**  
23       **“(e) Allow the consumption of marijuana items that are inhaled in**  
24 **designated areas of a premises for which a license has been issued**  
25 **under this section;**  
26       **“(f) Prohibit the consumption of marijuana items that are inhaled**  
27 **in places subject to ORS 433.845, except as permitted under ORS**  
28 **433.850;**  
29       **“(g) Create a process for receiving complaints of violations of par-**  
30 **agraph (f) of this subsection;**

1       “(h) Prohibit the consumption and sale of marijuana items that are  
2 not inhalants, alcoholic beverages and tobacco products on a premises  
3 for which a license has been issued under this section; and

4       “(i) Require a premises for which a license has been issued under  
5 this section to meet any public health and safety standards and in-  
6 dustry best practices established by the commission by rule.

7       “(4) Fees adopted under subsection (3)(b) of this section:

8       “(a) May not exceed, together with other fees collected under ORS  
9 475B.010 to 475B.395, the cost of administering ORS 475B.010 to  
10 475B.395; and

11       “(b) Shall be deposited in the Marijuana Control and Regulation  
12 Fund established under ORS 475B.240.

13       “(5) The provisions of this section are subject to a city or county  
14 adopting ordinances allowing the consumption of marijuana items at  
15 venues as described in section 5 of this 2017 Act.

16       “SECTION 3. (1) In addition to the requirements of ORS 475B.040,  
17 the Oregon Liquor Control Commission may require an applicant for  
18 a license described in section 2 of this 2017 Act to provide documenta-  
19 tion from a city or county that the proposed premises for which the  
20 license will be issued meets any reasonable regulations adopted by the  
21 city or county under ORS 475B.340 (1)(e), including any reasonable  
22 regulations related to:

23       “(a) The proximity of the proposed premises to dwelling units,  
24 public parks, community centers, childcare facilities and public places  
25 and places of employment, as those terms are defined in ORS 433.835;  
26 and

27       “(b) Whether the proposed designated area where consumption of  
28 marijuana items will occur is visible to the public.

29       “(2) The commission may deny an application for a license described  
30 in section 2 of this 2017 Act for failure to meet the requirements of this

1 section.

2 **“SECTION 4. Section 2 (2)(b)(B) of this 2017 Act does not apply to**  
3 **a premises proposed to be licensed under section 2 of this 2017 Act if**  
4 **the premises is located at the same address as a premises for which a**  
5 **license has been issued under ORS 475B.110 on or before the effective**  
6 **date of this 2017 Act.**

7 **“SECTION 5. (1) The Oregon Liquor Control Commission may not**  
8 **issue a license under section 2 of this 2017 Act to an applicant applying**  
9 **for the license if the premises for which the application for licensure**  
10 **has been made will be located:**

11 **“(a) Within a city that has not adopted an ordinance allowing the**  
12 **consumption of marijuana items at venues as described in section 2**  
13 **of this 2017 Act; or**

14 **“(b) Within the unincorporated area of a county that has not**  
15 **adopted an ordinance allowing the consumption of marijuana items**  
16 **at venues as described in section 2 of this 2017 Act.**

17 **“(2) If the governing body of a city or county adopts an ordinance**  
18 **described in this section, the governing body must provide the text of**  
19 **the ordinance to the commission, in the manner prescribed by the**  
20 **commission.**

21

22 **“UPDATES TO STATUES**

23

24 **“SECTION 6. ORS 475B.015, as amended by section 63, chapter 24,**  
25 **Oregon Laws 2016, and section 11, chapter 83, Oregon Laws 2016, is amended**  
26 **to read:**

27 **“475B.015. As used in ORS 475B.010 to 475B.395:**

28 **“(1) ‘Cannabinoid’ means any of the chemical compounds that are the**  
29 **active constituents of marijuana.**

30 **“(2) ‘Cannabinoid concentrate’ means a substance obtained by separating**

1 cannabinoids from marijuana by:

2 “(a) A mechanical extraction process;

3 “(b) A chemical extraction process using a nonhydrocarbon-based or other  
4 solvent, such as water, vegetable glycerin, vegetable oils, animal fats,  
5 isopropyl alcohol or ethanol;

6 “(c) A chemical extraction process using the hydrocarbon-based solvent  
7 carbon dioxide, provided that the process does not involve the use of high  
8 heat or pressure; or

9 “(d) Any other process identified by the Oregon Liquor Control Commis-  
10 sion, in consultation with the Oregon Health Authority, by rule.

11 “(3) ‘Cannabinoid edible’ means food or potable liquid into which a  
12 cannabinoid concentrate, cannabinoid extract or dried marijuana leaves or  
13 flowers have been incorporated.

14 “(4) ‘Cannabinoid extract’ means a substance obtained by separating  
15 cannabinoids from marijuana by:

16 “(a) A chemical extraction process using a hydrocarbon-based solvent,  
17 such as butane, hexane or propane;

18 “(b) A chemical extraction process using the hydrocarbon-based solvent  
19 carbon dioxide, if the process uses high heat or pressure; or

20 “(c) Any other process identified by the commission, in consultation with  
21 the authority, by rule.

22 “(5)(a) ‘Cannabinoid product’ means a cannabinoid edible and any other  
23 product intended for human consumption or use, including a product in-  
24 tended to be applied to the skin or hair, that contains cannabinoids or dried  
25 marijuana leaves or flowers.

26 “(b) ‘Cannabinoid product’ does not include:

27 “(A) Usable marijuana by itself;

28 “(B) A cannabinoid concentrate by itself;

29 “(C) A cannabinoid extract by itself; or

30 “(D) Industrial hemp, as defined in ORS 571.300.

1 “(6) ‘Consumer’ means a person who purchases, acquires, owns, holds or  
2 uses marijuana items other than for the purpose of resale.

3 “(7)(a) ‘Financial consideration’ means value that is given or received ei-  
4 ther directly or indirectly through sales, barter, trade, fees, charges, dues,  
5 contributions or donations.

6 “(b) ‘Financial consideration’ does not include marijuana, cannabinoid  
7 products or cannabinoid concentrates that are delivered within the scope of  
8 and in compliance with ORS 475B.245.

9 “(8) ‘Homegrown’ means grown by a person 21 years of age or older for  
10 noncommercial purposes.

11 “(9) ‘Household’ means a housing unit and any place in or around a  
12 housing unit at which the occupants of the housing unit are producing,  
13 processing, possessing or storing homegrown marijuana, cannabinoid pro-  
14 ducts, cannabinoid concentrates or cannabinoid extracts.

15 “(10) ‘Housing unit’ means a house, an apartment or a mobile home, or  
16 a group of rooms or a single room that is occupied as separate living quar-  
17 ters, in which the occupants live and eat separately from any other persons  
18 in the building and that has direct access from the outside of the building  
19 or through a common hall.

20 “(11) ‘Immature marijuana plant’ means a marijuana plant that is not  
21 flowering.

22 “(12) ‘Licensee’ means a person who holds a license issued under ORS  
23 475B.070, 475B.090, 475B.100 or 475B.110 **or section 2 of this 2017 Act.**

24 “(13) ‘Licensee representative’ means an owner, director, officer, manager,  
25 employee, agent or other representative of a licensee, to the extent that the  
26 person acts in a representative capacity.

27 “(14)(a) ‘Marijuana’ means the plant Cannabis family Cannabaceae, any  
28 part of the plant Cannabis family Cannabaceae and the seeds of the plant  
29 Cannabis family Cannabaceae.

30 “(b) ‘Marijuana’ does not include industrial hemp, as defined in ORS

1 571.300.

2 “(15) ‘Marijuana flowers’ means the flowers of the plant genus Cannabis  
3 within the plant family Cannabaceae.

4 “(16) ‘Marijuana items’ means marijuana, cannabinoid products,  
5 cannabinoid concentrates and cannabinoid extracts.

6 “(17) ‘Marijuana leaves’ means the leaves of the plant genus Cannabis  
7 within the plant family Cannabaceae.

8 “(18) ‘Marijuana processor’ means a person who processes marijuana  
9 items in this state.

10 “(19) ‘Marijuana producer’ means a person who produces marijuana in  
11 this state.

12 “(20) ‘Marijuana retailer’ means a person who sells marijuana items to a  
13 consumer in this state.

14 “(21) ‘Marijuana wholesaler’ means a person who purchases marijuana  
15 items in this state for resale to a person other than a consumer.

16 “(22) ‘Mature marijuana plant’ means a marijuana plant that is not an  
17 immature marijuana plant.

18 “(23) ‘Medical grade cannabinoid product, cannabinoid concentrate or  
19 cannabinoid extract’ means a cannabinoid product, cannabinoid concentrate  
20 or cannabinoid extract that has a concentration of tetrahydrocannabinol that  
21 is permitted under ORS 475B.625 in a single serving of the cannabinoid  
22 product, cannabinoid concentrate or cannabinoid extract for consumers who  
23 hold a valid registry identification card issued under ORS 475B.415.

24 “(24) ‘Medical purpose’ means a purpose related to using usable  
25 marijuana, cannabinoid products, cannabinoid concentrates or cannabinoid  
26 extracts to mitigate the symptoms or effects of a debilitating medical condi-  
27 tion, as defined in ORS 475B.410.

28 “(25) ‘Noncommercial’ means not dependent or conditioned upon the pro-  
29 vision or receipt of financial consideration.

30 “(26)(a) ‘Premises’ or ‘licensed premises’ includes the following areas of

1 a location licensed under ORS 475B.070, 475B.090, 475B.100 or 475B.110:

2 “(A) All public and private enclosed areas at the location that are used  
3 in the business operated at the location, including offices, kitchens, rest  
4 rooms and storerooms;

5 “(B) All areas outside a building that the commission has specifically li-  
6 censed for the processing, wholesale sale or retail sale of marijuana items;  
7 and

8 “(C) For a location that the commission has specifically licensed for the  
9 production of marijuana outside a building, that portion of the location used  
10 to produce marijuana.

11 “(b) ‘Premises’ or ‘licensed premises’ does not include a primary residence.

12 “(27)(a) ‘Processes’ means the processing, compounding or conversion of  
13 marijuana into cannabinoid products, cannabinoid concentrates or  
14 cannabinoid extracts.

15 “(b) ‘Processes’ does not include packaging or labeling.

16 “(28)(a) ‘Produces’ means the manufacture, planting, cultivation, growing  
17 or harvesting of marijuana.

18 “(b) ‘Produces’ does not include:

19 “(A) The drying of marijuana by a marijuana processor, if the marijuana  
20 processor is not otherwise producing marijuana; or

21 “(B) The cultivation and growing of an immature marijuana plant by a  
22 marijuana processor, marijuana wholesaler or marijuana retailer if the  
23 marijuana processor, marijuana wholesaler or marijuana retailer purchased  
24 or otherwise received the plant from a licensed marijuana producer.

25 “(29) ‘Propagate’ means to grow immature marijuana plants or to breed  
26 or produce the seeds of the plant Cannabis family Cannabaceae.

27 “(30) ‘Public place’ means a place to which the general public has access  
28 and includes, but is not limited to, hallways, lobbies and other parts of  
29 apartment houses and hotels not constituting rooms or apartments designed  
30 for actual residence, and highways, streets, schools, places of amusement,



1 parks, playgrounds and areas used in connection with public passenger  
2 transportation.

3 “(31)(a) ‘Usable marijuana’ means the dried leaves and flowers of  
4 marijuana.

5 “(b) ‘Usable marijuana’ does not include:

6 “(A) The seeds, stalks and roots of marijuana; or

7 “(B) Waste material that is a by-product of producing or processing  
8 marijuana.

9 **“SECTION 7.** ORS 475B.063, as amended by section 11, chapter 24,  
10 Oregon Laws 2016, is amended to read:

11 “475B.063. (1) Prior to receiving a license under ORS [*475B.070, 475B.090,*  
12 *475B.100 or 475B.110,*] **475B.010 to 475B.395**, an applicant shall request a  
13 land use compatibility statement from the city or county that authorizes the  
14 land use. The land use compatibility statement must demonstrate that the  
15 requested license is for a land use that is allowable as a permitted or con-  
16 ditional use within the given zoning designation where the land is located.  
17 The Oregon Liquor Control Commission may not issue a license if the land  
18 use compatibility statement shows that the proposed land use is prohibited  
19 in the applicable zone.

20 “(2) Except as provided in subsection (3) of this section, a city or county  
21 that receives a request for a land use compatibility statement under this  
22 section must act on that request within 21 days of:

23 “(a) Receipt of the request, if the land use is allowable as an outright  
24 permitted use; or

25 “(b) Final local permit approval, if the land use is allowable as a condi-  
26 tional use.

27 “(3) A city or county that receives a request for a land use compatibility  
28 statement under this section is not required to act on that request during  
29 the period that the commission discontinues licensing those premises pursu-  
30 ant to ORS 475B.800 (4)(b).

1 “(4) A city or county action concerning a land use compatibility state-  
2 ment under this section is not a land use decision for purposes of ORS  
3 chapter 195, 196, 197, 215 or 227.

4 **“SECTION 8.** ORS 475B.125 is amended to read:

5 “475B.125. The Oregon Liquor Control Commission may adopt rules es-  
6 tablishing the circumstances under which the commission may require a  
7 marijuana retailer that holds a license issued under ORS 475B.110 **or a**  
8 **person that holds a license issued under section 2 of this 2017 Act** to  
9 use an age verification scanner or any other equipment used to verify a  
10 person’s age for the purpose of ensuring that the marijuana retailer does not  
11 sell marijuana items to a person under 21 years of age. [*The marijuana*  
12 *retailer may not retain any*] Information obtained under this section **may not**  
13 **be retained** after verifying a person’s age. [*The marijuana retailer may not*  
14 *use any information obtained under this section*] **and may not be used** for  
15 any purpose other than verifying a person’s age.

16 **“SECTION 9.** ORS 475B.160, as amended by section 23, chapter 23,  
17 Oregon Laws 2016, section 65, chapter 24, Oregon Laws 2016, and section 12,  
18 chapter 83, Oregon Laws 2016, is amended to read:

19 “475B.160. (1) Except as provided in section 22, chapter 23, Oregon Laws  
20 2016, and section 2, chapter 83, Oregon Laws 2016, a marijuana producer,  
21 marijuana processor or marijuana wholesaler may deliver marijuana items  
22 only to or on a premises.

23 “(2) A premises may receive marijuana items only from:

24 “(a) A marijuana producer, marijuana processor or marijuana wholesaler  
25 for whom a premises has been licensed by the Oregon Liquor Control Com-  
26 mission;

27 “(b) A researcher of cannabis certified under ORS 475B.235 who transfers  
28 limited amounts of marijuana, usable marijuana, cannabinoid products,  
29 cannabinoid concentrates and cannabinoid extracts in accordance with pro-  
30 cedures adopted under ORS 475B.235 (3)(d) and (e); or

1 “(c) A marijuana grow site registered under ORS 475B.420, marijuana  
2 processing site registered under ORS 475B.435, or a medical marijuana  
3 dispensary registered under ORS 475B.450, acting in accordance with proce-  
4 dures adopted by the commission under section 25, chapter 24, Oregon Laws  
5 2016.

6 “(3) The sale of marijuana items by a marijuana retailer that holds a li-  
7 cense issued under ORS 475B.110 must be restricted to the premises described  
8 in the license, but deliveries may be made by the marijuana retailer to con-  
9 sumers pursuant to a bona fide order received at the premises prior to de-  
10 livery.

11 “(4) **If a premises for which a license has been issued under section**  
12 **2 of this 2017 Act is located at the same address as a premises for**  
13 **which a license has been issued under ORS 475B.110, the provisions of**  
14 **this section that apply to marijuana retailers apply to the person that**  
15 **holds the license issued under section 2 of this 2017 Act.**

16 “**SECTION 10.** ORS 475B.280 is amended to read:

17 “475B.280. (1)(a) **Except as provided in paragraph (b) of this sub-**  
18 **section,** it is unlawful for any person to engage in the use of marijuana  
19 items in a public place.

20 “(b) **A person 21 years of age or older may engage in the use of**  
21 **marijuana items in designated areas of a premises for which a license**  
22 **has been issued under section 2 of this 2017 Act.**

23 “(2) A violation of subsection (1)(a) of this section is a Class B violation.

24 “**SECTION 11.** ORS 475B.340, as amended by section 4, chapter 23,  
25 Oregon Laws 2016, and section 66, chapter 24, Oregon Laws 2016, is amended  
26 to read:

27 “475B.340. (1) For purposes of this section, ‘reasonable regulations’ in-  
28 cludes:

29 “(a) Reasonable conditions on the manner in which a marijuana producer  
30 [*licensed*] **that holds a license issued** under ORS 475B.070 may produce

1 marijuana or in which a *[person who]* **researcher of cannabis that** holds  
2 a certificate issued under ORS 475B.235 may produce marijuana or propagate  
3 immature marijuana plants;

4 “(b) Reasonable conditions on the manner in which a marijuana processor  
5 *[licensed]* **that holds a license issued** under ORS 475B.090 may process  
6 marijuana or in which a *[person who]* **researcher of cannabis that** holds  
7 a certificate issued under ORS 475B.235 may process marijuana;

8 “(c) Reasonable conditions on the manner in which a marijuana whole-  
9 saler *[licensed]* **that holds a license issued** under ORS 475B.100 may sell  
10 marijuana at wholesale;

11 “(d) Reasonable conditions on the manner in which a marijuana retailer  
12 *[licensed]* **that holds a license issued** under ORS 475B.110 may sell  
13 marijuana items;

14 “(e) **Reasonable conditions on the manner in which a person that**  
15 **holds a license issued under section 2 of this 2017 Act may provide for**  
16 **the consumption of marijuana items;**

17 “[*e*] (f) Reasonable limitations on the hours during which a premises for  
18 which a license has been issued under ORS [*475B.070, 475B.090, 475B.100 or*  
19 *475B.110]* **475B.010 to 475B.395** may operate;

20 “[*f*] (g) Reasonable requirements related to the public’s access to a  
21 premises for which a license or certificate has been issued under ORS  
22 [*475B.070, 475B.090, 475B.100, 475B.110 or 475B.235]* **475B.010 to 475B.395;**  
23 and

24 “[*g*] (h) Reasonable limitations on where a premises for which a license  
25 or certificate may be issued under ORS [*475B.070, 475B.090, 475B.100,*  
26 *475B.110 or 475B.235]* **475B.010 to 475B.395** may be located.

27 “(2) Notwithstanding ORS 30.935, 215.253 (1) or 633.738, the governing  
28 body of a city or county may adopt ordinances that impose reasonable regu-  
29 lations on the operation of businesses located at premises for which a license  
30 **or certificate** has been issued under ORS [*475B.070, 475B.090, 475B.100 or*

1 475B.110, or for which a certificate has been issued under ORS 475B.235,  
2 **475B.010 to 475B.395** if the premises are located in the area subject to the  
3 jurisdiction of the city or county, except that the governing body of a city  
4 or county may not:

5 “(a) Adopt an ordinance that prohibits a premises for which a license has  
6 been issued under ORS 475B.110 from being located within a distance that  
7 is greater than 1,000 feet of another premises for which a license has been  
8 issued under ORS 475B.110.

9 “(b) Adopt an ordinance [*after January 1, 2015,*] that imposes a setback  
10 requirement for an agricultural building used to produce marijuana located  
11 on a premises for which a license has been issued under ORS 475B.070 if the  
12 agricultural building:

13 “(A) Was constructed on or before July 1, 2015, in compliance with all  
14 applicable land use and building code requirements at the time of con-  
15 struction;

16 “(B) Is located at an address where a marijuana grow site first registered  
17 with the Oregon Health Authority under ORS 475B.420 on or before January  
18 1, 2015;

19 “(C) Was used to produce marijuana pursuant to the provisions of ORS  
20 475B.400 to 475B.525 on or before January 1, 2015; and

21 “(D) Has four opaque walls and a roof.

22 “**SECTION 12.** ORS 475B.575 is amended to read:

23 “475B.575. Subject to the applicable provisions of ORS chapter 183, if an  
24 applicant or licensee violates a provision of ORS 475B.550 to 475B.590 or a  
25 rule adopted under a provision of ORS 475B.550 to 475B.590, the Oregon Li-  
26 quor Control Commission may refuse to issue or renew, or may suspend or  
27 revoke, a license issued under ORS [*475B.070, 475B.090, 475B.100 or*  
28 **475B.110]** **475B.010 to 475B.395.**

29 “**SECTION 13.** ORS 475B.635 is amended to read:

30 “475B.635. To ensure compliance with ORS 475B.600 to 475B.655 and any

1 rule adopted under ORS 475B.600 to 475B.655, the Oregon Liquor Control  
2 Commission may inspect the premises of a person that holds a license **issued**  
3 under ORS [475B.070, 475B.090, 475B.100 or 475B.110] **475B.010 to 475B.395.**

4 **“SECTION 14.** ORS 475B.645 is amended to read:

5 “475B.645. Subject to the applicable provisions of ORS chapter 183, if the  
6 applicant or licensee violates [*a provision of*] ORS 475B.600 to 475B.655 or a  
7 rule adopted under [*a provision of*] ORS 475B.600 to 475B.655, the Oregon  
8 Liquor Control Commission may refuse to issue or renew, or may suspend  
9 or revoke, a license issued under ORS [475B.070, 475B.090, 475B.100 or  
10 475B.110] **475B.010 to 475B.395.**

11 **“SECTION 15.** Section 2, chapter 97, Oregon Laws 2016, is amended to  
12 read:

13 **“Sec. 2.** A financial institution that provides financial services custom-  
14 arily provided by financial institutions pursuant to powers granted by ORS  
15 717.200 to 717.320, 717.900 and 717.905, the Bank Act or [*by*] ORS chapter 723  
16 to a marijuana processing site registered under ORS 475B.435, a medical  
17 marijuana dispensary registered under ORS 475B.450, a marijuana producer  
18 that holds a license **issued** under ORS 475B.070, a marijuana processor that  
19 holds a license **issued** under ORS 475B.090, a marijuana wholesaler that  
20 holds a license **issued** under ORS 475B.100, a marijuana retailer that holds  
21 a license **issued** under ORS 475B.110, **a person that holds a license issued**  
22 **under section 2 of this 2017 Act,** a laboratory that holds a license under  
23 ORS 475B.560 or a person to whom a permit has been issued under ORS  
24 475B.218 is exempt from any criminal law of this state an element of which  
25 may be proven by substantiating that a person provides financial services  
26 customarily provided by financial institutions pursuant to powers granted  
27 by ORS 717.200 to 717.320, 717.900 and 717.905, the Bank Act or ORS chapter  
28 723 to a person [*who*] **that** possesses, delivers or manufactures marijuana or  
29 marijuana derived products.

30 **“SECTION 16.** Section 3, chapter 97, Oregon Laws 2016, is amended to

1 read:

2 “**Sec. 3.** (1) Notwithstanding any law relating to the exemption of infor-  
3 mation from public disclosure under ORS 475B.010 to 475B.395 or 475B.550  
4 to 475B.590, upon the request of a financial institution, the Oregon Liquor  
5 Control Commission shall provide to the financial institution the following  
6 information:

7 “(a) Whether a person with [*whom*] **which** the financial institution is  
8 doing business holds a license **issued** under ORS [*475B.070, 475B.090,*  
9 *475B.100, 475B.110 or 475B.560*] **475B.010 to 475B.395 or 475B.560** or a permit  
10 **issued** under ORS 475B.218;

11 “(b) The name of any other business or individual affiliated with the  
12 person;

13 “(c) A copy of the application, and any supporting documentation sub-  
14 mitted with the application, for a license or a permit submitted by the per-  
15 son;

16 “(d) If applicable, data relating to sales and the volume of product sold  
17 by the person;

18 “(e) Whether the person is currently compliant with the provisions of  
19 ORS 475B.010 to 475B.395, 475B.550 to 475B.590 and 475B.600 to 475B.655 and  
20 rules adopted under ORS 475B.010 to 475B.395, 475B.550 to 475B.590 and  
21 475B.600 to 475B.655;

22 “(f) Any past or pending violation by the person of a provision of ORS  
23 475B.010 to 475B.395, 475B.550 to 475B.590 or 475B.600 to 475B.655 or a rule  
24 adopted under ORS 475B.010 to 475B.395, 475B.550 to 475B.590 or 475B.600 to  
25 475B.655; and

26 “(g) Any penalty imposed upon the person for violating a provision of  
27 ORS 475B.010 to 475B.395, 475B.550 to 475B.590 or 475B.600 to 475B.655 or a  
28 rule adopted under ORS 475B.010 to 475B.395, 475B.550 to 475B.590 or  
29 475B.600 to 475B.655.

30 “(2) Upon receiving a request under subsection (1) of this section, the

1 commission shall provide the requesting financial institution with the re-  
2 quested information.

3 “(3) The commission may charge a financial institution a reasonable fee  
4 to cover the administrative costs of providing information under this section.

5 **“SECTION 17. (1) Sections 2 to 5 of this 2017 Act and the amend-  
6 ments to statutes and session law by sections 6 to 16 of this 2017 Act  
7 become operative on January 1, 2018.**

8 **“(2) The Oregon Liquor Control Commission may take any action  
9 before the operative date specified in subsection (1) of this section that  
10 is necessary to enable the commission to exercise, on and after the  
11 operative date specified in subsection (1) of this section, all the duties,  
12 functions and powers conferred on the commission by sections 2 to 5  
13 of this 2017 Act and the amendments to statutes and session law by  
14 sections 6 to 16 of this 2017 Act.**

15 **“SECTION 18. The unit captions used in this 2017 Act are provided  
16 only for the convenience of the reader and do not become part of the  
17 statutory law of this state or express any legislative intent in the  
18 enactment of this 2017 Act.**

19 **“SECTION 19. This 2017 Act takes effect on the 91st day after the  
20 date on which the 2017 regular session of the Seventy-ninth Legislative  
21 Assembly adjourns sine die.”.**

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