

Requested by Senator PROZANSKI

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2197**

1 On page 1 of the printed bill, line 2, after the semicolon insert “amending  
2 ORS 475B.705;”.

3 Delete lines 4 through 29 and delete pages 2 and 3 and insert:

4 **“SECTION 1.** ORS 475B.705, as amended by section 6, chapter 91, Oregon  
5 Laws 2016, is amended to read:

6 “475B.705. (1)(a) A tax is hereby imposed upon the retail sale of  
7 marijuana items in this state. The tax imposed by this section is a direct tax  
8 on the consumer, for which payment upon retail sale is required. The tax  
9 shall be collected at the point of sale of a marijuana item by a marijuana  
10 retailer at the time at which the retail sale occurs.

11 **“(b) This subsection does not apply to the seeds of the plant  
12 Cannabis family Cannabaceae.**

13 “(2) The tax imposed under this section shall be imposed at the rate of:

14 “(a) 17 percent of the retail sales price of marijuana leaves;

15 “(b) 17 percent of the retail sales price of marijuana flowers;

16 “(c) 17 percent of the retail sales price of immature marijuana plants;

17 “(d) 17 percent of the retail sales price of a cannabinoid edible;

18 “(e) 17 percent of the retail sales price of a cannabinoid concentrate;

19 “(f) 17 percent of the retail sales price of a cannabinoid extract;

20 “(g) 17 percent of the retail sales price of a cannabinoid product that is  
21 intended to be used by applying the cannabinoid product to the skin or hair;

1 and

2 “(h) 17 percent of the retail sales price of cannabinoid products other than  
3 those described in paragraph (g) of this subsection.

4 “(3) If the tax imposed under this section does not equal an amount cal-  
5 culable to a whole cent, the tax shall be equal to the next higher whole cent.

6 “(4) Except as otherwise provided by the Department of Revenue by rule,  
7 the amount of the tax shall be separately stated on an invoice, receipt or  
8 other similar document that the marijuana retailer provides to the consumer  
9 at the time at which the retail sale occurs.

10 “(5) A person may not knowingly sell, purchase, install, transfer or pos-  
11 sess electronic devices or software programs for the purposes of:

12 “(a) Hiding or removing records of retail sales of marijuana items; or

13 “(b) Falsifying records of retail sales of marijuana items.

14 “(6)(a) A marijuana retailer may not discount a marijuana item or offer  
15 a marijuana item for free if the retail sale of the marijuana item is made in  
16 conjunction with the retail sale of any other item.

17 “(b) Paragraph (a) of this subsection does not affect any provision of ORS  
18 475B.010 to 475B.395 or any rule adopted by the Oregon Liquor Control  
19 Commission pursuant to ORS 475B.010 to 475B.395 that is related to the re-  
20 tail sale of marijuana items.

21 **“SECTION 2. This 2017 Act takes effect on the 91st day after the**  
22 **date on which the 2017 regular session of the Seventy-ninth Legislative**  
23 **Assembly adjourns sine die.”.**

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