

Requested by HOUSE COMMITTEE ON REVENUE

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 845**

1 On page 1 of the printed A-engrossed bill, line 3, after “2015” insert “, and
2 section 40, chapter _____, Oregon Laws 2017 (Enrolled Senate Bill 1057).

3 On page 7, after line 35, insert:

4 **“SECTION 5a.** If Senate Bill 1057 becomes law, section 40, chapter
5 _____, Oregon Laws 2017 (Enrolled Senate Bill 2017), is amended to read:

6 **“Sec. 40.** (1) The Oregon Health Authority shall enter into an agreement
7 with the Oregon Liquor Control Commission under which the commission
8 shall use the system developed and maintained under ORS 475B.150 to track:

9 “(a) The propagation of immature marijuana plants and the production
10 of marijuana by marijuana grow sites;

11 “(b) The processing of marijuana into medical cannabinoid products,
12 cannabinoid concentrates and cannabinoid extracts that are transferred to
13 a medical marijuana dispensary;

14 “(c) The transfer of usable marijuana, immature marijuana plants, medical
15 cannabinoid products, cannabinoid concentrates and cannabinoid extracts by
16 a marijuana grow site or a medical marijuana dispensary to a registry iden-
17 tification cardholder or the designated primary caregiver of a registry iden-
18 tification cardholder; and

19 “(d) The transfer of usable marijuana, immature marijuana plants, med-
20 ical cannabinoid products, cannabinoid concentrates and cannabinoid ex-
21 tracts between marijuana grow sites, marijuana processing sites and medical

1 marijuana dispensaries.

2 “(2) Marijuana grow sites, marijuana processing sites, medical marijuana
3 dispensaries and any other person that processes marijuana into medical
4 cannabinoid products and cannabinoid concentrates for the purpose of
5 transferring the medical cannabinoid products and cannabinoid concentrates
6 to a medical marijuana dispensary are subject to tracking under this section.

7 “(3) On and after the date on which a marijuana grow site becomes sub-
8 ject to tracking under this section, the person is exempt from the require-
9 ments of ORS 475B.423 and the provisions of ORS 475B.420 that relate to
10 ORS 475B.423.

11 “(4) On and after the date on which a marijuana processing site becomes
12 subject to tracking under this section, the marijuana processing site is ex-
13 empt from the requirements of ORS 475B.438 and the provisions of ORS
14 475B.435 that relate to ORS 475B.438.

15 “(5) On and after the date on which a medical marijuana dispensary be-
16 comes subject to tracking under this section, the medical marijuana
17 dispensary is exempt from the requirements of ORS 475B.453 and the pro-
18 visions of ORS 475B.450 that relate to ORS 475B.453.

19 “(6) The commission may conduct inspections and investigations of al-
20 leged violations of ORS 475B.400 to 475B.525 about which the commission
21 obtains knowledge as a result of performing the commission’s duties under
22 this section. Notwithstanding section 6 of this 2017 Act, the commission
23 may use regulatory specialists, as defined in ORS 471.001, to conduct the
24 inspections and investigations, including inspections and investigations of
25 marijuana grow sites located at a primary residence.

26 “(7) Notwithstanding section 44, chapter 1, Oregon Laws 2015, [*before*
27 *making any other distribution from the Oregon Marijuana Account established*
28 *under section 44, chapter 1, Oregon Laws 2015,*] **after certifying the amount**
29 **of moneys available in the Oregon Marijuana Account established un-**
30 **der section 44, chapter 1, Oregon Laws 2015, but before apportioning**

1 **the moneys pursuant to the percentages specified in section 44, chap-**
2 **ter 1, Oregon Laws 2015, for the purpose of making transfers under**
3 **section 44 (3)(b), chapter 1, Oregon Laws 2015, and of using moneys**
4 **under section 44 (3)(c), chapter 1, Oregon Laws 2015,** the Department of
5 Revenue shall [*first*] distribute moneys quarterly from the account to the
6 commission for deposit in the Marijuana Control and Regulation Fund es-
7 tablished under ORS 475B.240 for purposes of paying administrative, in-
8 spection and investigatory costs incurred by the commission under this
9 section, provided that the amount of distributed moneys does not exceed \$1.25
10 million per quarter. For purposes of estimating the amount of moneys nec-
11 essary to pay costs incurred under this section, the commission shall estab-
12 lish a formulary based on expected costs for each marijuana grow site,
13 marijuana processing site or medical marijuana dispensary that is tracked
14 under this section. The commission shall provide to the Department of Rev-
15 enue and the Legislative Fiscal Officer before each quarter the estimated
16 amount of moneys necessary to pay costs expected to be incurred under this
17 section and the formulary.

18 “(8) When imposing a fee on a person responsible for marijuana grow site,
19 marijuana processing site or medical marijuana dispensary under ORS
20 475B.420, 475B.435 or 475B.450, the authority shall impose an additional fee
21 that is reasonably calculated to pay costs incurred under this section other
22 than costs paid pursuant to subsection (7) of this section. As part of the
23 agreement entered into under subsection (1) of this section, the authority
24 shall transfer fee moneys collected pursuant to this subsection to the com-
25 mission for deposit in the Marijuana Control and Regulation Fund estab-
26 lished under ORS 475B.240. Moneys collected pursuant to this subsection and
27 deposited in the Marijuana Control and Regulation Fund are continuously
28 appropriated to the commission for purposes of this section.

29 “(9) The authority and the commission may adopt rules as necessary to
30 administer this section.

