

Requested by Senator PROZANSKI

**PROPOSED AMENDMENTS TO  
SENATE BILL 863**

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

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

5 **“SECTION 2. (1) As used in this section, ‘information that may be**  
6 **used to identify a consumer’ means information that may be acquired**  
7 **through the production of a piece of identification as described in ORS**  
8 **475B.170, whether the information is contained in a piece of identifi-**  
9 **cation described in ORS 475B.170 or in a different document or record.**

10 **“(2) A consumer may not be required to procure for the purpose of**  
11 **acquiring or purchasing a marijuana item a piece of identification**  
12 **other than:**

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

14 **“(b) If the consumer is a registry identification cardholder, as de-**  
15 **defined in ORS 475B.410, a registry identification card, as defined in ORS**  
16 **475B.410.**

17 **“(3) A marijuana retailer may not record and retain any informa-**  
18 **tion that may be used to identify a consumer.**

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

21 **“(5)(a) Notwithstanding subsection (3) of this section, a marijuana**

1 retailer may record and retain the name and contact information of  
2 a consumer for the purpose of notifying the consumer of services that  
3 the marijuana retailer provides or of discounts, coupons and other  
4 marketing information if:

5 “(A) The marijuana retailer asks the consumer whether the  
6 marijuana retailer may record and retain the information; and

7 “(B) The consumer consents to the recording and retention of the  
8 information.

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

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

14 “SECTION 3. (1) Not later than 30 days after the effective date of  
15 this 2017 Act, a marijuana retailer must destroy any information de-  
16 scribed in section 2 (1) of this 2017 Act in the marijuana retailer’s  
17 possession on the effective date of this 2017 Act.

18 “(2) A marijuana retailer may not transfer any information de-  
19 scribed in section 2 (1) of this 2017 Act in the marijuana retailer’s  
20 possession on or after the effective date of this 2017 Act to any other  
21 person.

22 “SECTION 4. This 2017 Act being necessary for the immediate  
23 preservation of the public peace, health and safety, an emergency is  
24 declared to exist, and this 2017 Act takes effect on its passage.”.

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