

SENATE AMENDMENTS TO SENATE BILL 1555

By COMMITTEE ON HUMAN SERVICES

February 7

- 1 On page 2 of the printed bill, delete lines 35 through 40 and insert:
2 “**SECTION 2.** ORS 475B.759, as amended by section 1 of this 2018 Act, is amended to read:
3 “475B.759. (1) There is established the Oregon Marijuana Account, separate and distinct from
4 the General Fund.
5 “(2) The account shall consist of moneys transferred to the account under ORS 475B.760.
6 “(3)(a) The Department of Revenue shall certify quarterly the amount of moneys available in the
7 Oregon Marijuana Account.
8 “(b) Subject to subsection (4) of this section, the department shall transfer quarterly 20 percent
9 of the moneys in the Oregon Marijuana Account as follows:
10 “(A) Ten percent of the moneys in the account must be transferred to the cities of this state in
11 the following shares:
12 “(i) Seventy-five percent of the 10 percent must be transferred in shares that reflect the popu-
13 lation of each city of this state that is not exempt from this paragraph pursuant to subsection (4)(a)
14 of this section compared to the population of all cities of this state that are not exempt from this
15 paragraph pursuant to subsection (4)(a) of this section, as determined by Portland State University
16 under ORS 190.510 to 190.610, on the date immediately preceding the date of the transfer; and
17 “(ii) Twenty-five percent of the 10 percent must be transferred in shares that reflect the number
18 of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the last business day
19 of the calendar quarter preceding the date of the transfer for premises located in each city compared
20 to the number of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100 and 475B.105 on the
21 last business day of that calendar quarter for all premises in this state located in cities; and
22 “(B) Ten percent of the moneys in the account must be transferred to counties in the following
23 shares:
24 “(i) Fifty percent of the 10 percent must be transferred in shares that reflect the total commer-
25 cially available area of all grow canopies associated with marijuana producer licenses held pursuant
26 to ORS 475B.070 on the last business day of the calendar quarter preceding the date of the transfer
27 for all premises located in each county compared to the total commercially available area of all
28 grow canopies associated with marijuana producer licenses held pursuant to ORS 475B.070 on the
29 last business day of that calendar quarter for all premises located in this state; and
30 “(ii) Fifty percent of the 10 percent must be transferred in shares that reflect the number of li-
31 censes held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business day of the cal-
32 endar quarter preceding the date of the transfer for premises located in each county compared to
33 the number of licenses held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last business
34 day of that calendar quarter for all premises in this state.
35 “(c) Eighty percent of the moneys in the Oregon Marijuana Account must be used as follows:

1 “(A) Forty percent of the moneys in the account must be used solely for purposes for which
2 moneys in the State School Fund established under ORS 327.008 may be used;

3 “(B) Twenty percent of the moneys in the account must be used solely for [*mental health treat-*
4 *ment or for alcohol and drug abuse prevention, early intervention and treatment*] **purposes for which**
5 **moneys in the Mental Health Alcoholism and Drug Services Account established under ORS**
6 **430.380 may be used;**

7 “(C) Fifteen percent of the moneys in the account must be used solely for purposes for which
8 moneys in the State Police Account established under ORS 181A.020 may be used; and

9 “(D) Five percent of the moneys in the account must be used solely for purposes related to al-
10 cohool and drug abuse prevention, early intervention and treatment services.

11 “(4)(a) A city that has an ordinance prohibiting the establishment of a premises for which issu-
12 ance of a license under ORS 475B.070, 475B.090, 475B.100 or 475B.105 is required is not eligible to
13 receive transfers of moneys under subsection (3)(b)(A) of this section.

14 “(b) A county that has an ordinance prohibiting the establishment of a premises for which is-
15 suance of a license under ORS 475B.070 is required is not eligible to receive transfers of moneys
16 under subsection (3)(b)(B)(i) of this section.

17 “(c) A county that has an ordinance prohibiting the establishment of a premises for which is-
18 suance of a license under ORS 475B.090, 475B.100 or 475B.105 is required is not eligible to receive
19 transfers of moneys under subsection (3)(b)(B)(ii) of this section.

20 “(5) In a form and manner prescribed by the Oregon Liquor Control Commission, each city and
21 county in this state shall certify with the commission whether the city or county has an ordinance
22 prohibiting the establishment of a premises for which issuance of a license under ORS 475B.070,
23 475B.090, 475B.100 or 475B.105 is required. If a city fails to comply with this subsection, the city is
24 not eligible to receive transfers of moneys under subsection (3)(b)(A) of this section. If a county fails
25 to comply with this subsection, the county is not eligible to receive transfers of moneys under sub-
26 section (3)(b)(B) of this section.

27 “**SECTION 3. (1) The amendments to ORS 475B.759 by section 1 of this 2018 Act apply to**
28 **moneys transferred to the Oregon Marijuana Account under ORS 475B.760 after the effective**
29 **date of this 2018 Act, and before July 1, 2019.**

30 “**(2) The amendments to ORS 475B.759 by section 2 of this 2018 Act apply to moneys**
31 **transferred to the Oregon Marijuana Account under ORS 475B.760 on or after July 1, 2019.**

32 “**SECTION 4. This 2018 Act being necessary for the immediate preservation of the public**
33 **peace, health and safety, an emergency is declared to exist, and this 2018 Act takes effect**
34 **on its passage.”.**