

SB 1555-1
(LC 128)
2/6/18 (CMT/ps)

Requested by Senator STEINER HAYWARD

**PROPOSED AMENDMENTS TO
SENATE BILL 1555**

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,
3 is amended to read:

4 “475B.759. (1) There is established the Oregon Marijuana Account, sepa-
5 rate and distinct from the General Fund.

6 “(2) The account shall consist of moneys transferred to the account under
7 ORS 475B.760.

8 “(3)(a) The Department of Revenue shall certify quarterly the amount of
9 moneys available in the Oregon Marijuana Account.

10 “(b) Subject to subsection (4) of this section, the department shall transfer
11 quarterly 20 percent of the moneys in the Oregon Marijuana Account as
12 follows:

13 “(A) Ten percent of the moneys in the account must be transferred to the
14 cities of this state in the following shares:

15 “(i) Seventy-five percent of the 10 percent must be transferred in shares
16 that reflect the population of each city of this state that is not exempt from
17 this paragraph pursuant to subsection (4)(a) of this section compared to the
18 population of all cities of this state that are not exempt from this paragraph
19 pursuant to subsection (4)(a) of this section, as determined by Portland State
20 University under ORS 190.510 to 190.610, on the date immediately preceding
21 the date of the transfer; and

1 “(ii) Twenty-five percent of the 10 percent must be transferred in shares
2 that reflect the number of licenses held pursuant to ORS 475B.070, 475B.090,
3 475B.100 and 475B.105 on the last business day of the calendar quarter pre-
4 ceding the date of the transfer for premises located in each city compared
5 to the number of licenses held pursuant to ORS 475B.070, 475B.090, 475B.100
6 and 475B.105 on the last business day of that calendar quarter for all prem-
7 ises in this state located in cities; and

8 “(B) Ten percent of the moneys in the account must be transferred to
9 counties in the following shares:

10 “(i) Fifty percent of the 10 percent must be transferred in shares that re-
11 flect the total commercially available area of all grow canopies associated
12 with marijuana producer licenses held pursuant to ORS 475B.070 on the last
13 business day of the calendar quarter preceding the date of the transfer for
14 all premises located in each county compared to the total commercially
15 available area of all grow canopies associated with marijuana producer li-
16 censes held pursuant to ORS 475B.070 on the last business day of that cal-
17 endar quarter for all premises located in this state; and

18 “(ii) Fifty percent of the 10 percent must be transferred in shares that
19 reflect the number of licenses held pursuant to ORS 475B.090, 475B.100 and
20 475B.105 on the last business day of the calendar quarter preceding the date
21 of the transfer for premises located in each county compared to the number
22 of licenses held pursuant to ORS 475B.090, 475B.100 and 475B.105 on the last
23 business day of that calendar quarter for all premises in this state.

24 “(c) Eighty percent of the moneys in the Oregon Marijuana Account must
25 be used as follows:

26 “(A) Forty percent of the moneys in the account must be used solely for
27 purposes for which moneys in the State School Fund established under ORS
28 327.008 may be used;

29 “(B) Twenty percent of the moneys in the account must be used solely for
30 [*mental health treatment or for alcohol and drug abuse prevention, early*

1 *intervention and treatment]* **purposes for which moneys in the Mental**
2 **Health Alcoholism and Drug Services Account established under ORS**
3 **430.380 may be used;**

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

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

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

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

18 “(c) A county that has an ordinance prohibiting the establishment of a
19 premises for which issuance of a license under ORS 475B.090, 475B.100 or
20 475B.105 is required is not eligible to receive transfers of moneys under
21 subsection (3)(b)(B)(ii) of this section.

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

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

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

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

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