

## HOUSE AMENDMENTS TO HOUSE BILL 4072

By COMMITTEE ON AGRICULTURE AND LAND USE

February 17

- 1 On page 1 of the printed bill, delete line 5 and insert “571.345 and 571.348; repealing ORS  
2 571.341; and prescribing an effective date.”.
- 3 In line 10, delete “and 3” and insert “, 3 and 5”.
- 4 In line 13, delete “or han-”.
- 5 In line 14, delete “dler”.
- 6 After line 24, insert:  
7 “(3) ORS 181A.195 (10) does not apply to the department for purposes of conducting a criminal  
8 records check under this section.”.
- 9 In line 27, delete “or handle”.
- 10 On page 2, line 4, after “a” insert “grower”.
- 11 In line 6, delete “or handle”.
- 12 In line 7, delete “December 20, 2018” and insert “October 31, 2019”.
- 13 In line 8, delete “De-” and insert “October 31, 2019.”.
- 14 Delete line 9 and insert:  
15 **“SECTION 5. The Legislative Assembly finds and declares that the development and ad-  
16 ministration of the Oregon Hemp State Program described in ORS 571.263 will move the State  
17 of Oregon and its residents to the forefront of the hemp industry.”.**
- 18 In line 10, delete “5” and insert “6”.
- 19 In line 13, delete “6” and insert “7”.
- 20 Delete lines 15 and 16 and insert “Hemp State Program for the production, processing and sale  
21 of hemp in this state. In carrying out the program, the department:”.
- 22 In line 35, delete “7” and insert “8”.
- 23 In line 44, after “seed” insert “and any other activities identified by the State Department of  
24 Agriculture by rule”.
- 25 On page 3, line 13, delete “Sativa” and insert “sativa”.
- 26 In line 15, delete “State Department of Agriculture” and insert “department”.
- 27 In line 25, delete “an” and insert “a”.
- 28 In line 32, delete “or” and insert a comma and after “producer” insert “or other person”.
- 29 In line 34, delete “8” and insert “9”.
- 30 In line 39, delete “9” and insert “10”.
- 31 On page 4, line 12, delete “10” and insert “11”.
- 32 In line 18, delete “11” and insert “12”.
- 33 In line 19, after “(1)” insert “(a)”.
- 34 After line 20, insert:  
35 “(b) The department may identify by rule activities related to growing or handling hemp in ad-

1 dition to those described in ORS 571.269, and may require licensure to engage in those  
2 activities. The department may issue, renew, suspend, revoke or refuse to issue or renew a license  
3 required pursuant to this subsection.”.

4 On page 5, line 8, after “exceeding” delete the rest of the line and delete lines 9 and 10 and  
5 insert “the concentration specified by the department by rule, the department may detain, seize or  
6 embargo the crop as”.

7 In line 23, after “for” delete the rest of the line and insert “licensees.”.

8 In line 24, delete “12” and insert “13”.

9 In line 42, after the semicolon insert “or”.

10 In line 44, delete “; or” and insert a period.

11 Delete line 45.

12 On page 6, delete line 1.

13 In line 2, delete “13” and insert “14”.

14 In line 5, delete “14” and insert “15”.

15 In line 11, delete “15” and insert “16”.

16 On page 7, line 2, delete “16” and insert “17”.

17 In line 14, delete “17” and insert “18”.

18 In line 40, delete “18” and insert “19”.

19 On page 8, line 3, delete “19” and insert “20”.

20 In line 41, delete “20” and insert “21”.

21 On page 9, line 2, delete “Except as provided in ORS 571.341,”.

22 In line 25, delete “21” and insert “22”.

23 Delete lines 33 through 40.

24 On page 10, delete lines 7 and 8.

25 In line 9, delete “(3)” and insert “(2)”.

26 Delete lines 12 through 27 and insert:

27 **“SECTION 25. The State Department of Agriculture shall issue a license to grow or**  
28 **handle hemp under ORS 571.281 on the date the previous registration is due for renewal to**  
29 **a grower or handler who:**

30 **“(1) Registered under ORS 571.281 on or before the operative date specified in section 27**  
31 **of this 2020 Act; and**

32 **“(2) Meets the requirements for registration renewal.**

33 **“SECTION 26. ORS 571.341 is repealed.**

34 **“SECTION 27. (1) Sections 2, 3, 5 and 25 of this 2020 Act, the amendments to ORS 571.260,**  
35 **571.263, 571.269, 571.272, 571.275, 571.278, 571.281, 571.285, 571.288, 571.294, 571.302, 571.327,**  
36 **571.330, 571.333, 571.336, 571.337, 571.339, 571.345 and 571.348 by sections 6 to 24 of this 2020**  
37 **Act and the repeal of ORS 571.341 by section 26 of this 2020 Act become operative on October**  
38 **31, 2020.**

39 **“(2) The Oregon Health Authority, the Oregon Liquor Control Commission and the State**  
40 **Department of Agriculture may take any action before the operative date specified in sub-**  
41 **section (1) of this section that is necessary to enable the authority, the commission and the**  
42 **department to exercise, on and after the operative date specified in subsection (1) of this**  
43 **section, all of the duties, functions and powers conferred on the authority, the commission**  
44 **and the department by sections 2, 3, 5 and 25 of this 2020 Act, the amendments to ORS**  
45 **571.260, 571.263, 571.269, 571.272, 571.275, 571.278, 571.281, 571.285, 571.288, 571.294, 571.302,**

1 **571.327, 571.330, 571.333, 571.336, 571.337, 571.339, 571.345 and 571.348 by sections 6 to 24 of this**  
2 **2020 Act and the repeal of ORS 571.341 by section 26 of this 2020 Act.”.**

3 In line 31, delete “27” and insert “28”.

4 On page 13, delete lines 18 through 41 and insert:

5 “**SECTION 29.** ORS 475B.227 is amended to read:

6 “475B.227. (1) For purposes of this section,[:]

7 “[*(a)*] ‘export’ includes placing a marijuana item in any mode of transportation for hire, such as  
8 luggage, mail or parcel delivery, even if the transportation of the marijuana item is intercepted prior  
9 to the marijuana item leaving this state.

10 “[*(b)*] ‘*Marijuana item*’ includes industrial hemp products and commodities that contain more than  
11 0.3 percent tetrahydrocannabinol.]

12 “(2) **Except as provided in subsection (3) of this section,** a person may not import marijuana  
13 items into this state or export marijuana items from this state.

14 “(3) **This section does not apply to the import or export of hemp products or commodities**  
15 **to or from this state that contains less than one percent tetrahydrocannabinol and complies**  
16 **with:**

17 “(a) **ORS 571.260 to 571.348 and rules adopted under, or orders issued pursuant to, ORS**  
18 **571.260 to 571.348; or**

19 “(b) **The Agriculture Improvement Act of 2018 (P.L. 115-334).**

20 “[*(3)*] (4) Except as provided in subsection [*(4)*] (5) of this section, a violation of this section is  
21 a Class B violation.

22 “[*(4)*] (5) A violation of this section is a:

23 “(a) Class A misdemeanor, if the importation or exportation:

24 “(A) Is not for consideration and the person holds a license issued under ORS 475B.070,  
25 475B.090, 475B.100, [*or*] 475B.105 **or 571.281; or**

26 “(B) Concerns an amount of marijuana items that exceeds the applicable maximum amount  
27 specified in ORS 475B.337 (1)[*(a) to (f)*].

28 “(b) Class C felony, if the importation or exportation:

29 “(A) Is for consideration and the person holds a license issued under ORS 475B.070, 475B.090,  
30 475B.100, [*or*] 475B.105 **or 571.281; or**

31 “(B) Concerns an amount of marijuana items that exceeds 16 times the applicable maximum  
32 amount specified in ORS 475B.337 (1).[*(a) to (f)*; *or*]

33 “[*(C)*] *Concerns a cannabinoid extract that was not purchased from a marijuana retailer that holds*  
34 *a license issued under ORS 475B.105.]”.*

35 In line 42, delete “29” and insert “30”.

36 On page 14, line 5, delete “30” and insert “31”.

37 Delete line 10 and insert “tetrahydrocannabinol than allowed by the State Department of Agri-  
38 culture by rule.”.

39 In line 13, delete “31” and insert “32”.

40 In line 15, after “475B.090” insert “or a handler licensed under ORS 571.281 to process hemp”.

41 In line 18, delete “32” and insert “33”.

42 On page 15, line 6, delete “33” and insert “34”.

43 In line 39, delete “34” and insert “35”.

44 On page 18, delete lines 7 through 9 and insert:

45 “**SECTION 36.** (1) The amendments to ORS 475B.015, 475B.227, 475B.253, 475B.254, 475B.311,

1 475B.550, 475B.600 and 475B.791 by sections 28 to 35 of this 2020 Act become operative on October  
2 31, 2020.”.

3 In line 15, delete “27 to 34” and insert “28 to 35”.

4 After line 15, insert:

5  
6 **“COMMERCIAL HEMP SHIPMENTS**

7  
8 **“SECTION 37. The State Department of Agriculture shall establish by rule requirements**  
9 **for a shipment manifest for commercial hemp shipments. In adopting rules under this sec-**  
10 **tion, the department may define ‘commercial hemp shipment’ and ‘shipment manifest.’**

11 **“SECTION 38. (1) Section 37 of this 2020 Act becomes operative on October 31, 2020.**

12 **“(2) The State Department of Agriculture may take any action before the operative date**  
13 **specified in subsection (1) of this section that is necessary to enable the department to ex-**  
14 **ercise, on and after the operative date specified in subsection (1) of this section, all of the**  
15 **duties, functions and powers conferred on the department by section 37 of this 2020 Act.”.**

16 In line 19, delete “36” and insert “39”.

17 In line 25, delete “37” and insert “40”.