

Requested by Representative WILDE

**PROPOSED AMENDMENTS TO
HOUSE BILL 2263**

1 In line 2 of the printed bill, after the semicolon delete the rest of the line
2 and insert “creating new provisions; amending ORS 475B.177; and prescribing
3 an effective date.”.

4 Delete lines 4 through 11 and insert:

5 **“SECTION 1. Sections 2 and 3 of this 2021 Act are added to and
6 made a part of ORS 475B.010 to 475B.545.**

7 **“SECTION 2. (1) As used in this section, ‘batch’ means:**

8 **“(a) A quantity of marijuana or usable marijuana that is cultivated
9 using the same growing practices, harvested within a 72-hour period
10 at the same location and cured under uniform conditions; or**

11 **“(b)(A) A quantity of cannabinoid concentrate or cannabinoid ex-
12 tract of the same type and processed using the same methods, stand-
13 ard operating procedures and batches of marijuana or usable
14 marijuana; or**

15 **“(B) A quantity of cannabinoid product of the same type and pro-
16 cessed using the same ingredients, standard operating procedures and
17 batches of marijuana or usable marijuana or batches of cannabinoid
18 concentrate or cannabinoid extract.**

19 **“(2) A marijuana producer that holds a license issued under ORS
20 475B.070 and marijuana processor that holds a license issued under
21 ORS 475B.090 may establish an internal inventory tracking system to**

1 track the propagation of immature marijuana plants and the pro-
2 duction of marijuana by the marijuana producer and the processing
3 of marijuana by the marijuana processor. An internal tracking system
4 established under this subsection may provide for tracking by batch.

5 “(3) The Oregon Liquor Control Commission may, upon request to
6 a marijuana producer or marijuana processor, review the marijuana
7 producer’s or marijuana processor’s internal tracking system.

8 “SECTION 3. The Oregon Liquor Control Commission may not re-
9 quire the use of individual plant tags for purposes of tracking under
10 ORS 475B.177 or section 2 of this 2021 Act.

11 “SECTION 4. ORS 475B.177 is amended to read:

12 “475B.177. (1) The Oregon Liquor Control Commission shall develop and
13 maintain a system for tracking the transfer of marijuana items between
14 premises for which licenses have been issued under ORS 475B.010 to
15 475B.545.

16 “(2) The purposes of the system developed and maintained under this
17 section include, but are not limited to:

18 “(a) Preventing the diversion of marijuana items to criminal enterprises,
19 gangs, cartels and other states;

20 “(b) Preventing persons from substituting or tampering with marijuana
21 items;

22 “(c) Ensuring an accurate accounting of the [*production, processing and*]
23 sale of marijuana items;

24 “(d) Ensuring that laboratory testing results are accurately reported; and

25 “(e) Ensuring compliance with ORS 475B.010 to 475B.545, rules adopted
26 under ORS 475B.010 to 475B.545 and any other law of this state that charges
27 the commission with a duty, function or power related to marijuana.

28 “(3) **The commission shall track, through** the system developed and
29 maintained under this section [*must be capable of tracking, at a minimum*]:

30 “[*a*] *The propagation of immature marijuana plants and the production of*

1 *marijuana by a marijuana producer;]*

2 “[*(b)*] *The processing of marijuana by a marijuana processor;]*

3 “[*(c)*] **(a)** The receiving, storing and delivering of marijuana items by a
4 marijuana wholesaler;

5 “[*(d)*] **(b)** The sale of marijuana items by a marijuana retailer to a con-
6 sumer;

7 “[*(e)*] **(c)** The sale and purchase of marijuana items between licensees, as
8 permitted by ORS 475B.010 to 475B.545;

9 “[*(f)*] **(d)** The transfer of marijuana items between premises for which li-
10 censes have been issued under ORS 475B.010 to 475B.545; and

11 “[*(g)*] **(e)** **Subject to subsection (4) of this section**, any other informa-
12 tion that the commission determines is reasonably necessary to accomplish
13 the duties, functions and powers of the commission under ORS 475B.010 to
14 475B.545.

15 **“(4) The commission may not require tracking through the system**
16 **developed and maintained under this section the propagation of im-**
17 **mature marijuana plants and the production of marijuana by a**
18 **marijuana producer and the processing of marijuana by a marijuana**
19 **processor.**

20 **“SECTION 5. (1) Sections 2 and 3 of this 2021 Act and the amend-**
21 **ments to ORS 475B.177 by section 4 of this 2021 Act become operative**
22 **on January 1, 2022.**

23 **“(2) The Oregon Liquor Control Commission may take any action**
24 **before the operative date specified in subsection (1) of this section that**
25 **is necessary to enable the commission to exercise, on and after the**
26 **operative date specified in subsection (1) of this section, all of the du-**
27 **ties, functions and powers conferred on the commission by sections 2**
28 **and 3 of this 2021 Act and the amendments to ORS 475B.177 by section**
29 **4 of this 2021 Act.**

30 **“SECTION 6. This 2021 Act takes effect on the 91st day after the**

1 **date on which the 2021 regular session of the Eighty-first Legislative**
2 **Assembly adjourns sine die.”**

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