

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO  
C-ENGROSSED HOUSE BILL 3000  
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

1 On page 12 of the printed C-engrossed bill, line 19, after “(1)(a)” insert  
2 “or (b)”.

3 After line 39, insert:

4 **“SECTION 11a. If Senate Bill 408 becomes law, section 11 of this 2021**  
5 **Act (amending ORS 475B.625) is repealed and ORS 475B.625, as**  
6 **amended by section 16, chapter \_\_, Oregon Laws 2021 (Enrolled Senate**  
7 **Bill 408), is amended to read:**

8 “475B.625. (1) The Oregon Liquor Control Commission, **in consultation**  
9 **with the Oregon Health Authority and the State Department of Agri-**  
10 **culture**, shall adopt rules establishing:

11 “(a) The maximum concentration of [*tetrahydrocannabinol*] **total**  
12 **delta-9-THC** that is permitted in a single serving of a cannabinoid product  
13 or cannabinoid concentrate or extract; [*and*]

14 **“(b) The maximum concentration of adult use cannabinoid, any**  
15 **other cannabinoid or artificially derived cannabinoid that is permitted**  
16 **in a single serving of a cannabinoid product or a cannabinoid concen-**  
17 **trate or extract; and**

18 “[*b*] (c) The number of servings that are permitted in a package of  
19 cannabinoid product or cannabinoid concentrate or extract.

20 “(2)(a) In adopting rules under subsection (1)(a) **or (b)** of this section, the

1 commission shall prescribe the different levels of concentration of  
2 [*tetrahydrocannabinol*] **total delta-9-THC, artificially derived**  
3 **cannabinoids, adult use cannabinoids or any other cannabinoid** that is  
4 permitted in a single serving of a cannabinoid product or cannabinoid con-  
5 centrate or extract for:

6 “(A) Consumers who hold a valid registry identification card issued under  
7 ORS 475B.797; and

8 “(B) Consumers who do not hold a valid registry identification card issued  
9 under ORS 475B.797.

10 “(b) In prescribing the levels of concentration of [*tetrahydrocannabinol*]  
11 **total delta-9-THC, artificially derived cannabinoids, adult use**  
12 **cannabinoids or any other cannabinoid** that is permitted in a single  
13 serving of a cannabinoid product or cannabinoid concentrate or extract for  
14 consumers who hold a valid registry identification card issued under ORS  
15 475B.797, the commission shall consider the appropriate level of concen-  
16 tration necessary to mitigate the symptoms or effects of a debilitating med-  
17 ical condition, as defined in ORS 475B.791.

18 “(3) In adopting rules under ORS 475B.785 to 475B.949, the [*Oregon*  
19 *Health*] authority shall adopt by rule requirements established by the com-  
20 mission by rule to require all usable marijuana, cannabinoid products and  
21 cannabinoid concentrates and extracts transferred by a medical marijuana  
22 dispensary registered under ORS 475B.858 to meet the concentration stan-  
23 dards and servings per package standards adopted by rule pursuant to this  
24 section.

25 “(4)(a) In adopting rules under ORS 475B.010 to 475B.545, the commission  
26 shall require all usable marijuana, cannabinoid products and cannabinoid  
27 concentrates and extracts sold or transferred by a marijuana retailer that  
28 holds a license under ORS 475B.105 to meet the concentration standards and  
29 servings per package standards adopted by rule pursuant to this section.

30 “(b) The rules adopted by the commission under this subsection must al-

1 low for a concentration of up to 100 milligrams of [*tetrahydrocannabinol*]  
2 **adult use cannabinoid** per package of cannabinoid edibles.

3 **“SECTION 11b.** If Senate Bill 408 becomes law, section 12 of this 2021  
4 Act is amended to read:

5 **“Sec. 12.** (1) The amendments to ORS 475B.025, 475B.090, 475B.227,  
6 475B.253, 475B.254, 475B.550, 475B.555, 475B.600 and 475B.625 by sections 2,  
7 3, 5, 5a, 6 and 8 to [11] **11a** of this 2021 Act become operative on January  
8 1, 2022.

9 **“(2)** The Oregon Health Authority, the Oregon Liquor Control Commis-  
10 sion and the State Department of Agriculture may take any action before the  
11 operative date specified in subsection (1) of this section that is necessary to  
12 enable the authority, the commission and the department to exercise, on and  
13 after the operative date specified in subsection (1) of this section, all of the  
14 duties, functions and powers conferred on the authority, the commission and  
15 the department by the amendments to ORS 475B.025, 475B.090, 475B.227,  
16 475B.253, 475B.254, 475B.550, 475B.555, 475B.600 and 475B.625 by sections 2,  
17 3, 5, 5a, 6 and 8 to [11] **11a** of this 2021 Act.”.

18 On page 18, after line 22, insert:

19 **“SECTION 21a.** If Senate Bill 96 becomes law, ORS 571.269, as amended  
20 by section 21 of this 2021 Act, is amended to read:

21 “571.269. As used in ORS 571.260 to 571.348:

22 **“(1)** ‘Adult use cannabinoid’ has the meaning given that term in ORS  
23 475B.015.

24 **“(2)** ‘Adult use cannabis item’ has the meaning given that term in ORS  
25 475B.015.

26 **“(3)** ‘Agricultural hemp seed’ means Cannabis seed:

27 **“(a)** That is sold to or intended to be sold to licensed growers for plant-  
28 ing; or

29 **“(b)** That remains in an unprocessed or partially processed condition that  
30 is capable of germination.

1 “(4) ‘Artificially derived cannabinoid’ has the meaning given that term in  
2 ORS 475B.015.

3 “(5) ‘Consumption’ means [*to ingest, inhale or topically apply*] **ingestion,**  
4 **inhalation or topical application** to the skin or hair.

5 “(6) ‘Crop’ means industrial hemp grown under a single license.

6 “(7) ‘Grower’ means a person, joint venture or cooperative that produces  
7 industrial hemp.

8 “(8) ‘Handler’ means a person, joint venture or cooperative that receives  
9 industrial hemp for processing into commodities, products or agricultural  
10 hemp seed and any other activities identified by the State Department of  
11 Agriculture by rule.

12 “(9)(a) ‘Industrial hemp’:

13 “(A) Means the plant species *Cannabis sativa* that has a  
14 tetrahydrocannabinol concentration that complies with the concentration  
15 specified by the department by rule; and

16 “(B) Has the meaning given that term as it is further defined by the de-  
17 partment by rule.

18 “(b) ‘Industrial hemp’ does not mean industrial hemp commodities or  
19 products.

20 “(10) ‘Industrial hemp concentrate’ means an industrial hemp product ob-  
21 tained by separating cannabinoids from industrial hemp by:

22 “(a) A mechanical process;

23 “(b) A chemical extraction process using a nonhydrocarbon-based solvent,  
24 such as water, vegetable glycerin, vegetable oils, animal fats, isopropyl al-  
25 cohol or ethanol;

26 “(c) A chemical extraction process using carbon dioxide, provided that the  
27 process does not involve the use of high heat or pressure; or

28 “(d) Any other process identified by the department by rule.

29 “(11) ‘Industrial hemp extract’ means an industrial hemp product obtained  
30 by separating cannabinoids from industrial hemp by:

1 “(a) A chemical extraction process using a hydrocarbon-based solvent,  
2 such as butane, hexane or propane;

3 “(b) A chemical extraction process using carbon dioxide, if the process  
4 uses high heat or pressure; or

5 “(c) Any other process identified by the department by rule.

6 “(12) ‘Licensee’ means a grower, handler, agricultural hemp seed producer  
7 or other person licensed under ORS 571.281.”.

8 On page 22, after line 13, insert:

9 **“SECTION 29a. If Senate Bill 96 becomes law, section 29 of this 2021**  
10 **Act (amending ORS 571.330) is repealed and ORS 571.330, as amended**  
11 **by section 13, chapter \_\_, Oregon Laws 2021 (Enrolled Senate Bill 96),**  
12 **is amended to read:**

13 “571.330. [(1) *For purposes of this section, ‘consumption’ means ingestion,*  
14 *inhalation or topical application to the skin or hair.*]

15 “[~~(2)(a)~~] **(1)(a)** A laboratory licensed by the Oregon Liquor Control Com-  
16 mission under ORS 475B.560 and accredited by the Oregon Health Authority  
17 pursuant to ORS 475B.565 may test industrial hemp and industrial hemp  
18 commodities and products **whether or not the industrial hemp or indus-**  
19 **trial hemp commodities or products were** produced or processed by a  
20 [*grower, handler or agricultural hemp seed producer registered under ORS*  
21 *571.281*] **licensee.**

22 “(b) An accredited independent testing laboratory that has been approved  
23 by the authority or the State Department of Agriculture may test industrial  
24 hemp and industrial hemp commodities and products **whether or not the**  
25 **industrial hemp or industrial hemp commodities or products were**  
26 produced or processed by a [*grower, handler or agricultural hemp seed pro-*  
27 *ducer registered under ORS 571.281*] **licensee.**

28 “[~~(3)~~] **(2)** A [*grower or handler*] **person** may not sell or transfer an in-  
29 dustrial hemp commodity or product that is intended for human consumption  
30 **and that was produced, processed or manufactured in this state** unless

1 the commodity or product is tested by a laboratory described in subsection  
2 [(2)] (1) of this section to ensure that the commodity or product meets the  
3 requirements adopted by the Oregon Health Authority under ORS 475B.555  
4 (1)(a) and (b) for testing marijuana items and industrial hemp-derived vapor  
5 items and ORS 475B.555 (2) for testing cannabinoid edibles.

6 “[4)] (3) Industrial hemp commodities or products that are intended for  
7 use in an inhalant delivery system, as defined in ORS 431A.175, must meet  
8 the requirements of ORS 475B.550 to 475B.590 and 475B.600 to 475B.655 that  
9 apply to industrial hemp-derived vapor items as defined in ORS 475B.550 and  
10 475B.600.

11 “[5)] (4) For purposes of this section, the department shall adopt rules:

12 “(a) Establishing protocols for the testing of industrial hemp commodities  
13 and products; and

14 “(b) Establishing procedures for determining batch sizes and for sampling  
15 industrial hemp commodities and products.

16 “[6)] (5) This section does not apply to:

17 “(a) Agricultural hemp seed;

18 “(b) Seeds of the plant genus Cannabis within the plant family  
19 Cannabaceae that are incapable of germination;

20 “(c) Products derived from seeds described in paragraph (b) of this sub-  
21 section; or

22 “(d) Other parts of industrial hemp that the department identifies by rule  
23 as exempt.”.

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