

SB 1587-3
(LC 230)
2/11/22 (SCT/ps)

Requested by SENATE COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION

**PROPOSED AMENDMENTS TO
SENATE BILL 1587**

1 On page 1 of the printed bill, line 2, after “amending” delete the rest of
2 the line and insert “sections 13, 14, 16 and 26, chapter 103, Oregon Laws
3 2018;”.

4 In line 3, delete “475C.608;”.

5 Delete lines 5 through 26 and delete pages 2 and 3 and insert:

6 **“SECTION 1.** Section 13, chapter 103, Oregon Laws 2018, as amended by
7 section 1, chapter 3, Oregon Laws 2021 (second special session), is amended
8 to read:

9 **“Sec. 13.** (1) The Illegal Marijuana Market Enforcement Grant Program
10 is established to assist cities and counties with the costs incurred by local
11 law enforcement agencies **and community-based organizations** in ad-
12 dressing unlawful marijuana cultivation or distribution operations.

13 **“(2)** The Oregon Criminal Justice Commission shall administer the grant
14 program described in subsection (1) of this section and shall award the
15 grants described in this section.

16 **“(3)** The commission shall adopt rules to administer the grant program.
17 Rules adopted under this section must include:

18 **“(a)** A methodology for reviewing and approving grant applications and
19 awarding grants; and

20 **“(b)** A process for evaluating the efficacy of local law enforcement pro-
21 grams and services funded by the grant program.

1 “(4) Moneys distributed to grant recipients under this section must be
2 spent on costs associated with addressing and prosecuting unlawful
3 marijuana cultivation or distribution operations.

4 “(5) The commission shall prioritize the following when awarding grants
5 under this section:

6 “(a) Providing financial assistance to local law enforcement agencies and
7 district attorneys in rural areas of this state to address unlawful marijuana
8 cultivation or distribution operations;

9 “(b) Supporting local law enforcement agencies and district attorneys in
10 investigating and prosecuting large-scale unlawful marijuana cultivation or
11 distribution operations;

12 “(c) Providing financial assistance to local law enforcement agencies and
13 district attorneys in the investigation and prosecution of organized crime
14 involved in unlawful marijuana cultivation or distribution operations;

15 “(d) Providing financial assistance to local law enforcement agencies and
16 district attorneys in the investigation and prosecution of unlawful marijuana
17 cultivation or distribution operations that divert marijuana outside of this
18 state; and

19 “(e) Providing financial assistance to local law enforcement agencies [*to*
20 *partner with*] **and** community-based organizations in order to address the
21 ongoing humanitarian crisis associated with unlawful marijuana cultivation
22 or distribution operations and to facilitate connections to any necessary as-
23 sistance and services for individuals impacted by the humanitarian crisis,
24 including but not limited to language translation services and housing and
25 legal assistance.

26 “**SECTION 2.** Section 16, chapter 103, Oregon Laws 2018, as amended by
27 section 39, chapter 542, Oregon Laws 2021, is amended to read:

28 “**Sec. 16.** [(1)] Notwithstanding ORS [475B.759] **475C.726**, before making
29 any other distribution from the Oregon Marijuana Account established under
30 ORS [475B.759] **475C.726**, the Department of Revenue shall first distribute

1 quarterly from the account the following:

2 “[*a*] (1) \$875,000 to the Oregon Liquor and Cannabis Commission for
3 deposit in the Marijuana Control and Regulation Fund established under
4 ORS [*475B.296*] **475C.297**; and

5 “[*b*] (2) \$750,000 to the Oregon Criminal Justice Commission for deposit
6 into the Illegal Marijuana Market Enforcement Grant Program Fund estab-
7 lished under section 15, chapter 103, Oregon Laws 2018, for the purposes of
8 paying the costs incurred by the commission in carrying out the provisions
9 of section 13, chapter 103, Oregon Laws 2018.

10 “[*2*] *The final distribution made under subsection (1) of this section shall*
11 *be made in the fiscal quarter beginning on October 1, 2023.*]

12 **“SECTION 3.** Section 16, chapter 103, Oregon Laws 2018, as amended by
13 section 39, chapter 542, Oregon Laws 2021, and section 2 of this 2022 Act, is
14 amended to read:

15 **“Sec. 16. (1)** Notwithstanding ORS 475C.726, before making any other
16 distribution from the Oregon Marijuana Account established under ORS
17 475C.726, the Department of Revenue shall first distribute quarterly from the
18 account the following:

19 “[*1*] (a) \$875,000 to the Oregon Liquor and Cannabis Commission for
20 deposit in the Marijuana Control and Regulation Fund established under
21 ORS 475C.297; [*and*]

22 “[*2*] \$750,000 to the Oregon Criminal Justice Commission for deposit into
23 the Illegal Marijuana Market Enforcement Grant Program Fund established
24 under section 15, chapter 103, Oregon Laws 2018, for the purposes of paying
25 the costs incurred by the commission in carrying out the provisions of section
26 13, chapter 103, Oregon Laws 2018.]

27 **“(b) \$3,250,000 to the Oregon Criminal Justice Commission for de-**
28 **posit into the Illegal Marijuana Market Enforcement Grant Program**
29 **Fund established under section 15, chapter 103, Oregon Laws 2018, for**
30 **the purposes of paying the costs incurred by the commission in**

1 **awarding grants to law enforcement agencies under section 13, chapter**
2 **103, Oregon Laws 2018; and**

3 **“(c) \$750,000 to the Oregon Criminal Justice Commission for deposit**
4 **into the Illegal Marijuana Market Enforcement Grant Program Fund**
5 **established under section 15, chapter 103, Oregon Laws 2018, for the**
6 **purposes of paying the costs incurred by the commission in awarding**
7 **grants to community-based organizations under section 13, chapter**
8 **103, Oregon Laws 2018.**

9 **“(2) The final distribution made under subsection (1) of this section**
10 **shall be made in the fiscal quarter beginning on April 1, 2025.**

11 **“SECTION 4. The amendments to section 16, chapter 103, Oregon**
12 **Laws 2018, by section 3 of this 2022 Act become operative on July 1,**
13 **2023.**

14 **“SECTION 5. Section 14, chapter 103, Oregon Laws 2018, is amended to**
15 **read:**

16 **“Sec. 14. (1) [Not later than January 1, 2020, and] Not later than January**
17 **1 of each year [thereafter], the Oregon Criminal Justice Commission shall**
18 **submit a report in the manner provided in ORS 192.245 on the status and**
19 **effectiveness of the Illegal Marijuana Market Enforcement Grant Program**
20 **established under section 13 [of this 2018 Act], chapter 103, Oregon Laws**
21 **2018, to the interim committees of the Legislative Assembly related to the**
22 **judiciary.**

23 **“(2) Not later than January 1 of each year, the commission shall**
24 **submit, in the manner provided in ORS 192.245, to the interim com-**
25 **mittees of the Legislative Assembly related to the judiciary, a report**
26 **on recommendations for changes to the funding of the Illegal**
27 **Marijuana Market Enforcement Grant Program. In making the rec-**
28 **ommendations described in this subsection, the commission shall**
29 **consider the best available information and projections regarding un-**
30 **lawful marijuana cultivation and distribution operations in this state**

1 **and any human trafficking related to those operations.**

2 **“SECTION 6.** Section 26, chapter 103, Oregon Laws 2018, is amended to
3 read:

4 **“Sec. 26.** Sections 13 to 16 [*of this 2018 Act*], **chapter 103, Oregon Laws**
5 **2018,** are repealed on [*January 2, 2024*] **June 30, 2025.**

6 **“SECTION 7.** **Notwithstanding any other law limiting expenditures,**
7 **the limitation on expenditures established by section 3, chapter 379,**
8 **Oregon Laws 2021, for the biennium ending June 30, 2023, as the max-**
9 **imum limit for payment of expenses from fees, moneys or other reve-**
10 **nues, including Miscellaneous Receipts, but excluding lottery funds**
11 **and federal funds, collected or received by the Oregon Criminal Justice**
12 **Commission, is increased by \$4,500,000 for financial assistance to**
13 **community-based organizations for the purposes described in section**
14 **13, chapter 103, Oregon Laws 2018.**

15 **“SECTION 8. (1) The Department of Revenue shall make a one-time**
16 **transfer of \$25,000,000 to the cities of this state as follows:**

17 **“(a) Seventy-five percent of the \$25,000,000 must be transferred in**
18 **shares that reflect the population of each city of this state that is not**
19 **exempt from this subsection pursuant to subsection (3)(a) of this sec-**
20 **tion compared to the population of all cities of this state that are not**
21 **exempt from this subsection pursuant to subsection (3)(a) of this sec-**
22 **tion, as determined by Portland State University under ORS 190.510 to**
23 **190.610, on the date immediately preceding the date of the transfer;**
24 **and**

25 **“(b) Twenty-five percent of the \$25,000,000 must be transferred in**
26 **shares that reflect the number of licenses held pursuant to ORS**
27 **475C.065, 475C.085, 475C.093 and 475C.097 on the last business day of the**
28 **calendar quarter preceding the date of the transfer for premises lo-**
29 **cated in each city compared to the number of licenses held pursuant**
30 **to ORS 475C.065, 475C.085, 475C.093 and 475C.097 on the last business**

1 day of that calendar quarter for all premises in this state located in
2 cities.

3 “(2) The department shall make a one-time transfer of \$25,000,000
4 to counties as follows:

5 “(a) Fifty percent of the \$25,000,000 must be transferred in shares
6 that reflect the total commercially available area of all grow canopies
7 associated with marijuana producer licenses held pursuant to ORS
8 475C.065 on the last business day of the calendar quarter preceding the
9 date of the transfer for all premises located in each county compared
10 to the total commercially available area of all grow canopies associ-
11 ated with marijuana producer licenses held pursuant to ORS 475C.065
12 on the last business day of that calendar quarter for all premises lo-
13 cated in this state; and

14 “(b) Fifty percent of the \$25,000,000 must be transferred in shares
15 that reflect the number of licenses held pursuant to ORS 475C.085,
16 475C.093 and 475C.097 on the last business day of the calendar quarter
17 preceding the date of the transfer for premises located in each county
18 compared to the number of licenses held pursuant to ORS 475C.085,
19 475C.093 and 475C.097 on the last business day of that calendar quarter
20 for all premises in this state.

21 “(3)(a) A city that has an ordinance prohibiting the establishment
22 of a premises for which issuance of a license under ORS 475C.065,
23 475C.085, 475C.093 or 475C.097 is required is not eligible to receive
24 transfers of moneys under subsection (1) of this section.

25 “(b) A county that has an ordinance prohibiting the establishment
26 of a premises for which issuance of a license under ORS 475C.065 is
27 required is not eligible to receive transfers of moneys under subsection
28 (2)(a) of this section.

29 “(c) A county that has an ordinance prohibiting the establishment
30 of a premises for which issuance of a license under ORS 475C.085,

1 475C.093 or 475C.097 is required is not eligible to receive transfers of
2 moneys under subsection (2)(b) of this section.

3 “(d)(A) Paragraphs (b) and (c) of this subsection do not apply to a
4 county ordinance adopted on or after January 1, 2018, that prohibits
5 the establishment of a premises for which a license under ORS
6 475C.065, 475C.085, 475C.093 or 475C.097 is required but allows in the
7 unincorporated area of the county the continued operation of an ex-
8 isting premises for which a license under ORS 475C.065, 475C.085,
9 475C.093 or 475C.097 is required.

10 “(B) A county that adopts an ordinance described in subparagraph
11 (A) of this paragraph shall certify the adoption of the ordinance in the
12 manner provided in ORS 475C.726 (6).

13 “SECTION 9. Section 8 of this 2022 Act is repealed on June 30, 2023.

14 “SECTION 10. There is appropriated to the Department of Revenue,
15 for the biennium ending June 30, 2023, out of the General Fund, the
16 amount of \$50,000,000 for the purpose of carrying out the provisions
17 of section 8 of this 2022 Act.

18 “SECTION 11. This 2022 Act being necessary for the immediate
19 preservation of the public peace, health and safety, an emergency is
20 declared to exist, and this 2022 Act takes effect on its passage.”.

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