

HOUSE AMENDMENTS TO HOUSE BILL 4016

By COMMITTEE ON ECONOMIC RECOVERY AND PROSPERITY

February 17

1 On page 1 of the printed bill, delete lines 5 through 20 and delete page 2 and insert:

2
3 **“MARIJUANA MORATORIA**

4
5 **“SECTION 1. (1) The Oregon Liquor and Cannabis Commission may, based on the supply**
6 **of and demand for marijuana, as defined in ORS 475C.009, refuse to issue production licenses**
7 **under ORS 475C.065, processor licenses under ORS 475C.085, wholesale licenses under ORS**
8 **475C.093 and retail licenses under ORS 475C.097 for an amount of time that the commission**
9 **determines necessary.**

10 **“(2) Subsection (1) of this section does not apply to the renewal of a license described in**
11 **subsection (1) of this section or to the issuance or reissuance of a license described in sub-**
12 **section (1) of this section necessitated by a change in the location or ownership of a pro-**
13 **duction, processing, wholesale or retail facility or premises.**

14 **“(3)(a) Except as provided in paragraph (b) of this subsection, the commission shall pro-**
15 **cess an application for a license described in subsection (1) of this section if the application**
16 **was received on or before January 1, 2022.**

17 **“(b) An applicant that submitted an application described in paragraph (a) of this sub-**
18 **section that did not submit a land use compatibility statement required under ORS 475C.053**
19 **may submit the land use compatibility statement within 21 days of the effective date of this**
20 **2022 Act. If the land use compatibility statement is timely submitted, the commission shall**
21 **process the application. If a land use compatibility statement is not timely submitted, the**
22 **commission shall inactivate the application.**

23 **“(4) An applicant that submitted an application for a license described in subsection (1)**
24 **of this section on or before January 1, 2022, may not change:**

25 **“(a) The location for which an application was submitted; or**

26 **“(b) Fifty-one percent or more of the ownership of the production, processing, wholesale**
27 **or retail facility or premises for which the application for licensure was submitted.**

28 **“(5) The commission shall inactivate an application for a license described in subsection**
29 **(1) of this section that was received after January 1, 2022.**

30 **“(6)(a) The commission shall adopt rules to establish timelines for the completion of ap-**
31 **plications for licenses described in subsection (1) of this section, including rules to specify**
32 **times by which an applicant must complete any necessary steps for licensing after the**
33 **applicant’s application is assigned to a commission staff member for processing.**

34 **“(b) The commission may adopt other rules as necessary to carry out this section, in-**
35 **cluding rules that enable the commission to pause the processing of an application that has**

1 **been assigned to a commission staff member in consideration of commission resources to**
2 **process applications.**

3 **“(7)(a) The commission shall study the effects of subsections (1) to (6) of this section on**
4 **the marijuana industry.**

5 **“(b) Not later than March 20 of each year, the commission shall submit a report to a**
6 **committee or an interim committee of the Legislative Assembly related to economic devel-**
7 **opment, in the manner provided in ORS 192.245, on the findings of the study described in this**
8 **subsection.**

9 **“SECTION 2. Section 1 of this 2022 Act is repealed on March 31, 2024.”.**

10 On page 3, delete lines 1 through 3.

11 In line 7, delete “4” and insert “3” and delete “5” and insert “4”.

12 In line 9, delete “5” and insert “4”.

13 In line 16, delete “6” and insert “5” and delete “5” and insert “4”.

14 In line 20, delete “5” and insert “4”.

15 Delete lines 21 through 45.

16 On page 4, delete lines 1 through 13.

17 In line 17, delete “13” and insert “6”.

18 In line 29, delete “14” and insert “7”.

19 In line 42, delete “15” and insert “8”.

20 On page 5, line 14, delete “16” and insert “9”.

21 Delete lines 20 through 31 and insert:

22 **“SECTION 10. (1) The amendments to ORS 475C.105, 475C.409 and 475C.608 by sections 6**
23 **to 8 of this 2022 Act become operative on January 1, 2023.**

24 **“(2) The Oregon Liquor and Cannabis Commission may take any action before the oper-**
25 **ative date specified in subsection (1) of this section that is necessary to enable the commis-**
26 **sion to exercise, on and after the operative date specified in subsection (1) of this section,**
27 **all of the duties, functions and powers conferred on the commission by the amendments to**
28 **ORS 475C.105, 475C.409 and 475C.608 by sections 6 to 8 of this 2022 Act.**

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

32