

Requested by Senator RILEY

**PROPOSED AMENDMENTS TO
SENATE BILL 218**

1 In line 2 of the printed bill, after “cannabis;” insert “creating new pro-
2 visions; amending ORS 475B.045;”.

3 After line 13, insert:

4 **“SECTION 3.** ORS 475B.045 is amended to read:

5 “475B.045. (1) The Oregon Liquor Control Commission may not license an
6 applicant under the provisions of ORS 475B.010 to 475B.545 if the applicant
7 is under 21 years of age.

8 “(2) The commission may refuse to issue a license or may issue a re-
9 stricted license to an applicant under the provisions of ORS 475B.010 to
10 475B.545 if the commission makes a finding that the applicant:

11 “(a) Is in the habit of using alcoholic beverages, habit-forming drugs,
12 marijuana or controlled substances to excess.

13 “(b) Has made false statements to the commission.

14 “(c) Is incompetent or physically unable to carry on the management of
15 the establishment proposed to be licensed.

16 “(d) Has been convicted of violating a federal law, state law or local or-
17 dinance if the conviction is substantially related to the fitness and ability
18 of the applicant to lawfully carry out activities under the license.

19 “(e) Is not of good repute and moral character.

20 “(f) Does not have a good record of compliance with ORS 475B.010 to
21 475B.545 or any rule adopted under ORS 475B.010 to 475B.545.

1 “(g) Is not the legitimate owner of the premises proposed to be licensed,
2 or has not disclosed that other persons have ownership interests in the
3 premises proposed to be licensed.

4 “(h) Has not demonstrated financial responsibility sufficient to adequately
5 meet the requirements of the premises proposed to be licensed.

6 “(i) Is unable to understand the laws of this state relating to marijuana
7 items or the rules adopted under ORS 475B.010 to 475B.545.

8 “(3) Notwithstanding subsection (2)(d) of this section, in determining
9 whether to issue a license or a restricted license to an applicant, the com-
10 mission may not consider the prior conviction of the applicant or any owner,
11 director, officer, manager, employee, agent or other representative of the
12 applicant for:

13 “(a) The manufacture of marijuana, if:

14 “(A) The date of the conviction is two or more years before the date of
15 the application; and

16 “(B) The person has not been convicted more than once for the manufac-
17 ture or delivery of marijuana;

18 “(b) The delivery of marijuana to a person 21 years of age or older, if:

19 “(A) The date of the conviction is two or more years before the date of
20 the application; and

21 “(B) The person has not been convicted more than once for the manufac-
22 ture or delivery of marijuana; or

23 “(c) The possession of marijuana.

24 “(4)(a) **The commission may not issue a license to or renew a license**
25 **of a marijuana producer under ORS 475B.070 unless the marijuana**
26 **producer provides proof to the commission that the marijuana pro-**
27 **ducer has contracted with a marijuana processor that holds a license**
28 **issued under ORS 475B.090 or a marijuana retailer that holds a license**
29 **issued under ORS 475B.105 to transfer to the marijuana processor or**
30 **marijuana retailer at least 90 percent of the marijuana that the**

1 marijuana producer will produce during the licensure period.

2 “(b) Paragraph (a) of this subsection does not apply to a marijuana
3 producer that owns or is owned by a marijuana processor that holds
4 a license issued under ORS 475B.090 or a marijuana retailer that holds
5 a license issued under ORS 475B.105.

6 “SECTION 4. (1) The amendments to ORS 475B.045 by section 3 of
7 this 2019 Act become operative on January 1, 2020.

8 “(2) The Oregon Liquor Control Commission may take any action
9 before the operative date specified in subsection (1) of this section that
10 is necessary to enable the commission to exercise, on and after the
11 operative date specified in subsection (1) of this section, all of the du-
12 ties, functions and powers conferred on the commission by the
13 amendments to ORS 475B.045 by section 3 of this 2019 Act.”.

14 In line 14, delete “3” and insert “5”.

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