

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

By JOINT COMMITTEE ON WAYS AND MEANS

June 25

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

2 After line 39, insert:

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4 **475B.625) is repealed and ORS 475B.625, as amended by section 16, chapter __, Oregon Laws**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

6 “475B.625. (1) The Oregon Liquor Control Commission, **in consultation with the Oregon**
7 **Health Authority and the State Department of Agriculture**, shall adopt rules establishing:

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

10 **“(b) The maximum concentration of adult use cannabinoid, any other cannabinoid or ar-**
11 **tificially derived cannabinoid that is permitted in a single serving of a cannabinoid product**
12 **or a cannabinoid concentrate or extract; and**

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

15 “(2)(a) In adopting rules under subsection (1)(a) **or (b)** of this section, the commission shall
16 prescribe the different levels of concentration of [*tetrahydrocannabinol*] **total delta-9-THC, arti-**
17 **ficially derived cannabinoids, adult use cannabinoids or any other cannabinoid** that is permit-
18 ted in a single serving of a cannabinoid product or cannabinoid concentrate or extract for:

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

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

21 “(b) In prescribing the levels of concentration of [*tetrahydrocannabinol*] **total delta-9-THC, ar-**
22 **tificially derived cannabinoids, adult use cannabinoids or any other cannabinoid** that is per-
23 mitted in a single serving of a cannabinoid product or cannabinoid concentrate or extract for
24 consumers who hold a valid registry identification card issued under ORS 475B.797, the commission
25 shall consider the appropriate level of concentration necessary to mitigate the symptoms or effects
26 of a debilitating medical condition, as defined in ORS 475B.791.

27 “(3) In adopting rules under ORS 475B.785 to 475B.949, the [*Oregon Health*] authority shall adopt
28 by rule requirements established by the commission by rule to require all usable marijuana,
29 cannabinoid products and cannabinoid concentrates and extracts transferred by a medical marijuana
30 dispensary registered under ORS 475B.858 to meet the concentration standards and servings per
31 package standards adopted by rule pursuant to this section.

32 “(4)(a) In adopting rules under ORS 475B.010 to 475B.545, the commission shall require all usa-
33 ble marijuana, cannabinoid products and cannabinoid concentrates and extracts sold or transferred
34 by a marijuana retailer that holds a license under ORS 475B.105 to meet the concentration stan-

1 dards and servings per package standards adopted by rule pursuant to this section.

2 “(b) The rules adopted by the commission under this subsection must allow for a concentration
3 of up to 100 milligrams of [*tetrahydrocannabinol*] **adult use cannabinoid** per package of cannabinoid
4 edibles.

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

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

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

16 On page 18, after line 22, insert:

17 “**SECTION 21a.** If Senate Bill 96 becomes law, ORS 571.269, as amended by section 21 of this
18 2021 Act, is amended to read:

19 “571.269. As used in ORS 571.260 to 571.348:

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

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

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

23 “(a) That is sold to or intended to be sold to licensed growers for planting; or

24 “(b) That remains in an unprocessed or partially processed condition that is capable of
25 germination.

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

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

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

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

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

34 “(9)(a) ‘Industrial hemp’:

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

37 “(B) Has the meaning given that term as it is further defined by the department by rule.

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

39 “(10) ‘Industrial hemp concentrate’ means an industrial hemp product obtained by separating
40 cannabinoids from industrial hemp by:

41 “(a) A mechanical process;

42 “(b) A chemical extraction process using a nonhydrocarbon-based solvent, such as water, vege-
43 table glycerin, vegetable oils, animal fats, isopropyl alcohol or ethanol;

44 “(c) A chemical extraction process using carbon dioxide, provided that the process does not in-
45 volve the use of high heat or pressure; or

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

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

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

6 “(b) A chemical extraction process using carbon dioxide, if the process uses high heat or pres-
7 sure; or

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

9 “(12) ‘Licensee’ means a grower, handler, agricultural hemp seed producer or other person li-
10 censed under ORS 571.281.”.

11 On page 22, after line 13, insert:

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

15 “571.330. [(1) For purposes of this section, ‘consumption’ means ingestion, inhalation or topical
16 application to the skin or hair.]

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

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

27 “[3)] (2) A [grower or handler] **person** may not sell or transfer an industrial hemp commodity
28 or product that is intended for human consumption **and that was produced, processed or manu-**
29 **factured in this state** unless the commodity or product is tested by a laboratory described in sub-
30 section [(2)] (1) of this section to ensure that the commodity or product meets the requirements
31 adopted by the Oregon Health Authority under ORS 475B.555 (1)(a) and (b) for testing marijuana
32 items and industrial hemp-derived vapor items and ORS 475B.555 (2) for testing cannabinoid edibles.

33 “[4)] (3) Industrial hemp commodities or products that are intended for use in an inhalant de-
34 livery system, as defined in ORS 431A.175, must meet the requirements of ORS 475B.550 to 475B.590
35 and 475B.600 to 475B.655 that apply to industrial hemp-derived vapor items as defined in ORS
36 475B.550 and 475B.600.

37 “[5)] (4) For purposes of this section, the department shall adopt rules:

38 “(a) Establishing protocols for the testing of industrial hemp commodities and products; and
39 “(b) Establishing procedures for determining batch sizes and for sampling industrial hemp com-
40 modities and products.

41 “[6)] (5) This section does not apply to:

42 “(a) Agricultural hemp seed;

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

45 “(c) Products derived from seeds described in paragraph (b) of this subsection; or

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