

Senate Bill 402

Sponsored by Senator PROZANSKI (at the request of East Fork Cultivars) (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows hemp grower or handler to sell or transfer hemp cuttings. Defines "cutting."
Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to hemp; and prescribing an effective date.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 571.260 to**
5 **571.348.**

6 **SECTION 2. (1) As used in this section:**

7 (a) "Consumption" has the meaning given that term in ORS 571.330.

8 (b) "Cutting" means any part of the hemp plant that:

9 (A) Has been removed from or has fallen off the hemp plant;

10 (B) Is not dried; and

11 (C) Does not include any roots, or parts of roots, of the hemp plant.

12 (2)(a) A grower or handler may sell or transfer hemp cuttings, which may include flow-
13 ers, if the hemp cuttings and any flowers are not intended for consumption. Hemp cuttings
14 sold or transferred under this section are not subject to testing pursuant to ORS 571.330 and
15 571.333.

16 (b) A person that receives hemp cuttings under this section may sell or transfer the
17 hemp cuttings, including as part of a bouquet or other arrangement.

18 (3) The State Department of Agriculture may adopt rules to carry out this section.

19 **SECTION 3. (1) Section 2 of this 2021 Act becomes operative on January 1, 2022.**

20 (2) The State Department of Agriculture may take any action before the operative date
21 specified in subsection (1) of this section that is necessary to enable the department to ex-
22 ercise, on or after the operative date specified in subsection (1) of this section, all of the
23 duties, functions and powers conferred on the department by section 2 of this 2021 Act.

24 **SECTION 4. This 2021 Act takes effect on the 91st day after the date on which the 2021**
25 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.