

Requested by Representative MORGAN

**PROPOSED AMENDMENTS TO
HOUSE BILL 2296**

1 In line 2 of the printed bill, after “hemp” insert “; creating new pro-
2 visions; and amending ORS 571.348”.

3 Delete lines 4 through 10 and insert:

4 **“SECTION 1. Sections 2 and 3 of this 2021 Act are added to and
5 made a part of ORS 571.260 to 571.348.**

6 **“SECTION 2. (1) As used in this section, ‘law enforcement agency’
7 has the meaning given that term in ORS 181A.010.**

8 **“(2) The State Department of Agriculture may enter into an inter-
9 agency agreement with a law enforcement agency to enable the law
10 enforcement agency to assist the department in carrying out industrial
11 hemp crop inspections under ORS 571.281 (7).**

12 **“(3) The department shall include on the application for an indus-
13 trial hemp grower registration under ORS 571.281 a provision specify-
14 ing that by signing the application, the applicant gives implied consent
15 to allow the department and a law enforcement agency with which the
16 department has entered into an interagency agreement under sub-
17 section (2) of this section to enter the premises of the applicant’s in-
18 dustrial hemp operation, collect samples for the purposes specified in
19 ORS 571.281 (7) and use the collected samples for law enforcement
20 purposes if the department or law enforcement agency has reasonable
21 grounds to believe that the industrial hemp crop violates a provision**

1 of ORS 475B.010 to 475B.545 or 571.260 to 571.348.

2 “(4) If, during an inspection under ORS 571.281 (7), a law enforce-
3 ment agency obtains evidence of potential violations of a provision of
4 ORS 475B.010 to 475B.545 or 571.260 to 571.348, the law enforcement
5 agency shall inform the department of the evidence and potential vi-
6 olations. If, after review, the department determines that the matter
7 may require criminal prosecution, the department shall collaborate
8 with the law enforcement agency as necessary.

9 **“SECTION 3.** ORS 571.348 is amended to read:

10 “571.348. (1) Subject to the provisions of ORS chapter 183, the State De-
11 partment of Agriculture may impose a civil penalty not to exceed [\$2,500]
12 **\$10,000** on a person for violating:

13 “(a) A provision of ORS 571.260 to 571.348;

14 “(b) A rule adopted under a provision of ORS 571.260 to 571.348; or

15 “(c) An order issued by the department pursuant to a provision of ORS
16 571.260 to 571.348 or a rule adopted under a provision of ORS 571.260 to
17 571.348.

18 “(2) The department may not discipline a person under this section on the
19 basis that possessing, delivering and manufacturing industrial hemp are
20 prohibited by federal law.

21 “(3) All moneys collected by the department under this section shall be
22 deposited in the General Fund in the State Treasury to the credit of the In-
23 dustrial Hemp Fund established under ORS 571.278.

24 **“SECTION 4. The amendments to ORS 571.348 by section 3 of this**
25 **2021 Act apply to violations occurring on or after the effective date of**
26 **this 2021 Act.”.**

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