

Senate Bill 460

Sponsored by Senator HANSELL (Presession 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**.

Directs Department of Revenue to make one-time transfer of funds to cities and counties in this state.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to local governments; and declaring an emergency.

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

4 **SECTION 1. (1) The Department of Revenue shall transfer the amount of \$34,800,000 to**
5 **the cities of this state as follows:**

6 **(a) Seventy-five percent of the amount must be transferred in shares in proportion to the**
7 **population of each city of this state that is not exempt from this subsection pursuant to**
8 **subsection (3)(a) of this section compared to the total population of all cities of this state**
9 **that are not exempt from this subsection pursuant to subsection (3)(a) of this section, as**
10 **determined by Portland State University under ORS 190.510 to 190.610, on the date imme-**
11 **diately preceding the date of the transfer; and**

12 **(b) Twenty-five percent of the amount must be transferred in shares in proportion to the**
13 **number of licenses held pursuant to ORS 475C.065, 475C.085, 475C.093 and 475C.097 on the last**
14 **business day of the calendar quarter preceding the date of the transfer for premises located**
15 **in each city compared to the total number of licenses held pursuant to ORS 475C.065,**
16 **475C.085, 475C.093 and 475C.097 on the last business day of that calendar quarter for all**
17 **premises in this state located in cities.**

18 **(2) The department shall transfer the amount of \$34,800,000 to counties as follows:**

19 **(a) Fifty percent of the amount must be transferred in shares in proportion to the total**
20 **commercially available area of all grow canopies associated with marijuana producer licenses**
21 **held pursuant to ORS 475C.065 on the last business day of the calendar quarter preceding the**
22 **date of the transfer for all premises located in each county compared to the total commer-**
23 **cially available area of all grow canopies associated with marijuana producer licenses held**
24 **pursuant to ORS 475C.065 on the last business day of that calendar quarter for all premises**
25 **located in this state; and**

26 **(b) Fifty percent of the amount must be transferred in shares in proportion to the**
27 **number of licenses held pursuant to ORS 475C.085, 475C.093 and 475C.097 on the last business**
28 **day of the calendar quarter preceding the date of the transfer for premises located in each**
29 **county compared to the total number of licenses held pursuant to ORS 475C.085, 475C.093 and**
30 **475C.097 on the last business day of that calendar quarter for all premises in this state.**

31 **(3)(a) A city that has an ordinance prohibiting the establishment of a premises for which**

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.

1 issuance of a license under ORS 475C.065, 475C.085, 475C.093 or 475C.097 is required is not
2 eligible to receive transfers of moneys under subsection (1) of this section.

3 (b) A county that has an ordinance prohibiting the establishment of a premises for which
4 issuance of a license under ORS 475C.065 is required is not eligible to receive transfers of
5 moneys under subsection (2)(a) of this section.

6 (c) A county that has an ordinance prohibiting the establishment of a premises for which
7 issuance of a license under ORS 475C.085, 475C.093 or 475C.097 is required is not eligible to
8 receive transfers of moneys under subsection (2)(b) of this section.

9 (d)(A) Paragraphs (b) and (c) of this subsection do not apply to a county ordinance
10 adopted on or after January 1, 2018, that prohibits the establishment of a premises for which
11 a license under ORS 475C.065, 475C.085, 475C.093 or 475C.097 is required but allows in the
12 unincorporated area of the county the continued operation of an existing premises for which
13 a license under ORS 475C.065, 475C.085, 475C.093 or 475C.097 is required.

14 (B) A county that adopts an ordinance described in subparagraph (A) of this paragraph
15 shall certify the adoption of the ordinance in the manner provided in ORS 475C.726 (6).

16 SECTION 2. Section 1 of this 2023 Act is repealed on January 2, 2024.

17 SECTION 3. There is appropriated to the Department of Revenue, for the biennium be-
18 ginning July 1, 2023, out of the General Fund, the amount of \$69,600,000 for the purpose of
19 carrying out the provisions of section 1 of this 2023 Act.

20 SECTION 4. This 2023 Act being necessary for the immediate preservation of the public
21 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
22 on its passage.

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