

Senate Bill 842

Sponsored by Senator BURDICK

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**.

Specifies amount of civil penalty that Oregon Liquor Control Commission may impose on licensee for violating law or rule related to regulation of marijuana.

Establishes Marijuana Enforcement Fund and requires moneys collected from licensees who violate law or rule to be deposited in fund.

A BILL FOR AN ACT

1
2 Relating to marijuana; creating new provisions; amending section 30, chapter 1, Oregon Laws 2015.

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

4 **SECTION 1.** Section 30, chapter 1, Oregon Laws 2015, is amended to read:

5 **Sec. 30.** (1) The Oregon Liquor Control Commission may cancel or suspend any license issued
6 under sections 3 to 70, **chapter 1, Oregon Laws 2015** [*of this Act*], if the commission finds or has
7 reasonable ground to believe **that** any of the following [*to be*] **are** true:

8 (a) That the licensee:

9 (A) Has violated any provision of sections 3 to 70, **chapter 1, Oregon Laws 2015**, [*of this Act*]
10 or any rule of the commission adopted pursuant [*thereto*] **to sections 3 to 70, chapter 1, Oregon**
11 **Laws 2015**.

12 (B) Has made any false representation or statement to the commission [*in order to induce or*
13 *prevent*] **for the purpose of inducing or preventing** action by the commission.

14 (C) Has maintained an insanitary establishment.

15 (D) Is insolvent or incompetent or physically unable to carry on the management of the estab-
16 lishment of the licensee.

17 (E) Is in the habit of using alcoholic liquor, habit-forming drugs, marijuana[,] or controlled sub-
18 stances to excess.

19 (F) Has misrepresented to a customer or the public any marijuana items sold by the licensee.

20 (G) Since the granting of the license, has been convicted of a felony, of violating any of the
21 marijuana laws of this state, general or local, or of any misdemeanor or violation of any municipal
22 ordinance committed on the licensed premises.

23 (b) That there is any other reason that, in the opinion of the commission, based on public con-
24 venience or necessity, warrants canceling or suspending [*such*] **the** license.

25 (2) **In addition to any other liability or penalty provided by law, the commission may im-**
26 **pose for each violation of a provision of sections 3 to 70, chapter 1, Oregon Laws 2015, or a**
27 **rule adopted under a provision of sections 3 to 70, chapter 1, Oregon Laws 2015, a civil pen-**
28 **alty that does not exceed \$10,000. The commission shall impose** civil penalties under this sec-
29 tion [*shall be imposed as*] **in the manner** provided [*in*] **by** ORS 183.745. **Moneys collected under**
30 **this subsection shall be deposited in the Marijuana Enforcement Fund established under**

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 section 3 of this 2015 Act.

2 **SECTION 2.** Section 3 of this 2015 Act is added to and made a part of sections 3 to 70,
3 chapter 1, Oregon Laws 2015.

4 **SECTION 3.** The Marijuana Enforcement Fund is established in the State Treasury, sep-
5 arate and distinct from the General Fund. Interest in the Marijuana Enforcement Fund shall
6 be credited to the fund. Moneys in the fund are continuously appropriated to the Oregon
7 Liquor Control Commission to administer and enforce sections 3 to 70, chapter 1, Oregon
8 Laws 2015.

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