**5318-S AMS RIVE S2575.1 - NOT FOR FLOOR USE**

**SSB 5318** - S AMD **149**

By Senator Rivers

**PULLED 03/11/2019**

On page 7, after line 27, insert the following:

"(3) The board may not consider any violation that occurred before April 30, 2017, as grounds for denial, suspension, revocation, cancellation, or nonrenewal, unless the board can prove by a preponderance of the evidence that the prior administrative violation evidences:

(a) Diversion of marijuana product to the illicit market or sales across state lines;

(b) Furnishing of marijuana product to minors;

(c) Diversion of revenue from the sale of marijuana product to criminal enterprises, gangs, or cartels;

(d) Use of firearms in a facility licensed by the board that poses a direct and significant threat to public safety; or

(e) Other nonmarijuana-related, criminal behavior."

EFFECT: Prohibits the LCB from considering violations occurring prior to April 30,2017, except for certain specific violations that are proved by a preponderance of the evidence.