

House Bill 3129

Sponsored by Representative OLSON; Representatives BARKER, FREEMAN, JOHNSON, KRIEGER, SCHAUFLE, SPRENGER, THOMPSON, WHISNANT, WINGARD, Senators KRUSE, MORSE

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**.

Modifies provisions relating to release of information from Oregon Medical Marijuana Program to Oregon Health Authority and law enforcement.

A BILL FOR AN ACT

1
2 Relating to the Oregon Medical Marijuana Program; amending ORS 475.331.

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

4 **SECTION 1.** ORS 475.331 is amended to read:

5 475.331. (1)(a) The Oregon Health Authority shall create and maintain a list of the persons to
6 whom the authority has issued registry identification cards, the names of any designated primary
7 caregivers and the addresses of authorized marijuana grow sites. Except as provided in
8 [subsection] **subsections (2) to (4)** of this section, the list [shall be] **is** confidential and not subject
9 to public disclosure.

10 (b) The authority shall develop a system by which authorized employees of state and local law
11 enforcement agencies may verify at all times that a person is a lawful possessor of a registry iden-
12 tification card or the designated primary caregiver of a lawful possessor of a registry identification
13 card or that a location is an authorized marijuana grow site.

14 (2) **The authority may release** names and other identifying information from the list estab-
15 lished pursuant to subsection (1) of this section [may be released] to[.]

16 [(a)] authorized employees of the authority as necessary to perform official duties of the
17 authority[; and].

18 [(b)] (3) **The authority shall release names and other identifying information from the list**
19 **established under subsection (1) of this section to** authorized employees of state or local law
20 enforcement agencies[, only as necessary] to verify:

21 (a) That a person is a [lawful possessor of a] registry identification [card or] **cardholder**, the
22 designated primary caregiver of a [lawful possessor of a] registry identification [card] **cardholder**
23 or **a person responsible for a marijuana grow site registered under ORS 475.304;**

24 (b) That a location is an authorized marijuana grow site[.];

25 (c) **The number of registry identification cardholders for whom a person is serving as a**
26 **designated primary caregiver;**

27 (d) **The number of registry identification cardholders for whom a person responsible for**
28 **a marijuana grow site is producing marijuana; and**

29 (e) **The number of persons responsible for a marijuana grow site who are authorized to**
30 **produce marijuana at a particular marijuana grow site.**

31 (4) **Upon receipt of a subpoena or court order, the authority shall release all information**

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 related to a registry identification cardholder, designated primary caregiver or person re-
2 sponsible for a marijuana grow site, except information relating to a registry identification
3 cardholder's debilitating medical condition, to authorized employees of a state or local law
4 enforcement agency for:

5 (a) Use in a criminal action in which a defendant has raised a defense under ORS 475.319;
6 or

7 (b) Use in a criminal investigation concerning violations of ORS 475.005 to 475.285 and
8 475.840 to 475.980.

9 (5) *[Prior to being provided]* Before the authority provides identifying information from the list
10 under subsection (3) or (4) of this section, authorized employees of state or local law enforcement
11 agencies *[shall]* **must** provide to the authority adequate identification, such as a badge number or
12 similar authentication of authority.

13 *[(3)]* (6) Authorized employees of state or local law enforcement agencies that obtain
14 *[identifying]* information *[from the list as authorized under]* **under subsection (3) or (4) of this sec-**
15 **tion may** *[not release or use the information for any purpose other than verification that a person is*
16 *a lawful possessor of a registry identification card or the designated primary caregiver of a lawful*
17 *possessor of a registry identification card or that a location is an authorized marijuana grow site]* **use**
18 **the information only for the purposes for which it was obtained.**