

House Bill 3426

Sponsored by Representative SPRENGER; Representatives BENTZ, BERGER, CAMERON, ESQUIVEL, GARRARD, HICKS, JOHNSON, KRIEGER, SCHAUFLER, G SMITH, THOMPSON, Senator GIROD

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**.

Requires applicant for marijuana grow site registration to notify Oregon Health Authority if premises of marijuana grow site are rented or leased and provide name and address of owner. Requires authority to notify owner of premises that authority has registered marijuana grow site at premises.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to marijuana grow sites; creating new provisions; amending ORS 475.304; and declaring an
3 emergency.

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

5 **SECTION 1.** ORS 475.304 is amended to read:

6 475.304. (1) The Oregon Health Authority shall establish by rule a marijuana grow site regis-
7 tration system to authorize production of marijuana by a registry identification cardholder, a des-
8 ignated primary caregiver who grows marijuana for the cardholder or a person who is responsible
9 for a marijuana grow site. The marijuana grow site registration system adopted must require a
10 registry identification cardholder to submit an application to the authority that includes:

11 (a) The name of the person responsible for the marijuana grow site;

12 (b) The address of the marijuana grow site;

13 **(c) If the premises at which the marijuana grow site will be established are rented or**
14 **leased, the name and address of the owner of the premises;**

15 *[(c)]* **(d)** The registry identification card number of the registry cardholder for whom the
16 marijuana is being produced; and

17 *[(d)]* **(e)** Any other information the authority considers necessary.

18 (2) The authority shall issue a marijuana grow site registration card to a registry identification
19 cardholder who has met the requirements of subsection (1) of this section.

20 **(3) If the application states that the premises at which the marijuana grow site will be**
21 **established are rented or leased, the authority shall notify the owner of the premises that**
22 **the authority has registered a marijuana grow site at the premises.**

23 *[(3)]* **(4)** A person who has been issued a marijuana grow site registration card under this section
24 must display the registration card at the marijuana grow site at all times when marijuana is being
25 produced.

26 *[(4)]* **(5)** A marijuana grow site registration card must be obtained and posted for each registry
27 identification cardholder for whom marijuana is being produced at a marijuana grow site.

28 *[(5)]* **(6)** All usable marijuana, plants, seedlings and seeds associated with the production of
29 marijuana for a registry identification cardholder by a person responsible for a marijuana grow site

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 are the property of the registry identification cardholder and must be provided to the registry
2 identification cardholder upon request.

3 [(6)(a)] (7)(a) The authority shall conduct a criminal records check under ORS 181.534 of any
4 person whose name is submitted as a person responsible for a marijuana grow site.

5 (b) A person convicted of a Class A or Class B felony under ORS 475.840 to 475.920 for the
6 manufacture or delivery of a controlled substance in Schedule I or Schedule II may not be issued
7 a marijuana grow site registration card or produce marijuana for a registry identification cardholder
8 for five years from the date of conviction.

9 (c) A person convicted more than once of a Class A or Class B felony under ORS 475.840 to
10 475.920 for the manufacture or delivery of a controlled substance in Schedule I or Schedule II may
11 not be issued a marijuana grow site registration card or produce marijuana for a registry identifi-
12 cation cardholder.

13 [(7)] (8) A registry identification cardholder or the designated primary caregiver of the
14 cardholder may reimburse the person responsible for a marijuana grow site for the costs of supplies
15 and utilities associated with the production of marijuana for the registry identification cardholder.
16 No other costs associated with the production of marijuana for the registry identification
17 cardholder, including the cost of labor, may be reimbursed.

18 **SECTION 2. The amendments to ORS 475.304 by section 1 of this 2011 Act apply to ap-
19 plications for registration of a marijuana grow site and renewals of registration of a
20 marijuana grow site submitted on or after the effective date of this 2011 Act.**

21 **SECTION 3. (1) The amendments to ORS 475.304 by section 1 of this 2011 Act become
22 operative on January 1, 2012.**

23 **(2) The Oregon Health Authority may take any action before the operative date specified
24 in subsection (1) of this section to enable the authority to exercise, on and after the opera-
25 tive date specified in subsection (1) of this section, all of the duties, functions and powers
26 conferred on the authority by the amendments to ORS 475.304 by section 1 of this 2011 Act.**

27 **SECTION 4. This 2011 Act being necessary for the immediate preservation of the public
28 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
29 on its passage.**

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