

House Bill 3460

Licensing and Regulating Medical Marijuana Facilities

Chief Sponsors: State Rep. Peter Buckley and State Sen. Floyd Prozanski

House Bill 3460 establishes a system under the Oregon Medical Marijuana Program to license and regulate the estimated 150 or more medical marijuana facilities operating in Oregon today, allowing patients, growers and medical marijuana facilities to legally work together to ensure that patients have safe access to medicine they need.

The bill would require medical marijuana facilities to seek a license from OMMP similar to the license that patients and registered growers are required to obtain under current law. HB 3460 establishes new regulations the medical marijuana facilities must meet to qualify including:

- Located within commercial, industrial, and agricultural areas
- Not allowed within 1000 feet of a school
- Not allowed within 1000 feet of another medical marijuana facility
- Patient authorization required to receive medical marijuana from a registered grow site
- Testing for pesticides, molds and mildews to protect patients.
- Meeting security requirements
- Requires fees to cover costs to OMMP
- Allows OMMP additional rulemaking authority

Why we need HB 3460

When the original medical marijuana act was passed in 1998, it allowed patients to grow their own medicine, or to designate someone to grow it for them. Many patients don't have the means to produce their own medicine, and often have a hard time finding someone to grow for them. Thus they or their caregivers must turn to the black market to obtain marijuana.

In 2005, SB 1085 increased plant limits and possession amounts, leading to an increase in the amount of legal marijuana produced under the law. This bill authorizes a legal and regulated means of getting excess marijuana into the hands of patients who cannot grow their own.

In recent years, numerous facilities have started operations across the state. In many communities, Portland for example, law enforcement has generally taken a hands-off attitude. But in other communities these dispensaries have been raided and shut down.

HB 3460 provides a consistent and regulated approach to ensure marijuana produced under the Oregon Medical Marijuana Act ends up in the hands of patients who need it.

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