

A-Engrossed
Senate Bill 794

Ordered by the Senate April 24
Including Senate Amendments dated April 24

Sponsored by Senator PROZANSKI

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.

[Requires Advisory Committee on Medical Marijuana to meet five times per year.]

Provides that residents of other states authorized to engage in medical use of marijuana who possess less than one ounce of marijuana are excepted from certain laws.

Modifies circumstances under which marijuana grow site registration system must require registry identification cardholder to submit certain application.

A BILL FOR AN ACT

Relating to medical marijuana; creating new provisions; and amending ORS 475.304.

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

RECIPROCITY

SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 475.300 to 475.346.

SECTION 2. A person who is a resident of another state and who possesses less than one ounce of marijuana is excepted from the criminal laws of this state for possession, delivery or production of marijuana, for aiding and abetting another in the possession, delivery or production of marijuana or for any other criminal offense in which possession, delivery or production of marijuana is an element, if the person is authorized to engage in the medical use of marijuana in the person's state of residence.

GROW SITE REGISTRY

SECTION 3. ORS 475.304 is amended to read:

475.304. (1) The Oregon Health Authority shall establish by rule a marijuana grow site registration system to authorize production of marijuana by a registry identification cardholder, a designated primary caregiver who grows marijuana for the cardholder or a person who is responsible for a marijuana grow site. The marijuana grow site registration system adopted must require a registry identification cardholder, **if the registry identification cardholder elects to produce or have another person produce marijuana for the registry identification cardholder**, to submit an application to the authority that includes:

- (a) The name of the person responsible for the 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 (b) The address of the marijuana grow site;

2 (c) The registry identification card number of the registry cardholder for whom the marijuana
3 is being produced; and

4 (d) Any other information the authority considers necessary.

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

7 (3) A person who has been issued a marijuana grow site registration card under this section
8 must display the registration card at the marijuana grow site at all times when marijuana is being
9 produced.

10 (4) A marijuana grow site registration card must be obtained and posted for each registry
11 identification cardholder for whom marijuana is being produced at a marijuana grow site.

12 (5) All usable marijuana, plants, seedlings and seeds associated with the production of marijuana
13 for a registry identification cardholder by a person responsible for a marijuana grow site are the
14 property of the registry identification cardholder and must be provided to the registry identification
15 cardholder upon request.

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

18 (b) A person convicted of a Class A or Class B felony under ORS 475.752 to 475.920 for the
19 manufacture or delivery of a controlled substance in Schedule I or Schedule II may not be issued
20 a marijuana grow site registration card or produce marijuana for a registry identification cardholder
21 for five years from the date of conviction.

22 (c) A person convicted more than once of a Class A or Class B felony under ORS 475.752 to
23 475.920 for the manufacture or delivery of a controlled substance in Schedule I or Schedule II may
24 not be issued a marijuana grow site registration card or produce marijuana for a registry identifi-
25 cation cardholder.

26 (7) A registry identification cardholder or the designated primary caregiver of the cardholder
27 may reimburse the person responsible for a marijuana grow site for the costs of supplies and utilities
28 associated with the production of marijuana for the registry identification cardholder. No other
29 costs associated with the production of marijuana for the registry identification cardholder, includ-
30 ing the cost of labor, may be reimbursed.

31 (8) The authority may adopt rules imposing a fee in an amount established by the authority for
32 registration of a marijuana grow site under this section.

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34 **UNIT CAPTIONS**
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36 **SECTION 4. The unit captions used in this 2013 Act are provided only for the convenience**
37 **of the reader and do not become part of the statutory law of this state or express any leg-**
38 **islative intent in the enactment of this 2013 Act.**
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