

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

REVENUE: No revenue impact

FISCAL: No fiscal impact

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Bill Taylor, Counsel

Meeting Dates: 2/11;

WHAT THE MEASURE DOES: Allows a county or city to adopt an ordinance that regulates, restricts or prohibits the operation of medical marijuana facilities within the city or county’s jurisdiction.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: (-2) Allows counties and cities to adopt ordinances that regulate or restrict the operation of medical marijuana facilities within their respective jurisdictions. (-3) Prohibits medical marijuana operations within 1,000 of a pre-school as well as an elementary, secondary or career school. Regulates the sale of food containing marijuana. Requires certain specific packaging. Prohibits packaging that is attractive to minors. (-4) Allows a county or city to adopt an ordinance that prohibits or restricts medical marijuana facilities within their respective jurisdictions.

BACKGROUND: ORS 475.304 directs the Oregon Health Authority to establish by marijuana grow site registration system to authorize the production of marijuana by marijuana card holders or their caregivers. ORS 475.314 directs the health authority to establish by rule a medical marijuana facility system to authorize the transfer of useable marijuana from a marijuana cardholder, caregiver or person responsible for the marijuana grow site to a medical marijuana facility or from a medical marijuana facility to a medical marijuana cardholder or caregiver. These statutory provisions preclude county and city government from regulating medical marijuana.