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78th LEGISLATIVE ASSEMBLY
JOINT COMMITTEE ON IMPLEMENTING MEASURE 91

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Elements of -1 Amendments to HB 3400

Licenses and Certifications

- Producers, processors, wholesalers and retailers need license.
- Licensees need to be 21 years old and have two years of Oregon residency.
- Certification available for propagation of seeds and immature plants.
- Certification available for public and private research.

Seed to Sale Tracking

- All marijuana items offered for sale will be tracked and reported with a seed to sale system.
- OLCC-licensed retailers may only receive and sell marijuana items from OLCC-licensed producers, processors or wholesalers.

Land Use

- Marijuana is considered a crop for agricultural purposes and Right to Farm laws.
- Producers must comply with state land use laws and provide a Land Use Compatibility statement to secure licensing.

Taxing

- Taxation will be at the retail point of sale.
- Department of Revenue will collect tax and be responsible for enforcement.
- Prohibits cities and counties from taxing marijuana.
- While currently blank, tax rates intended to be low enough to undercut the black market while raising the same amount of revenue that the tax rates in Measure 91 would have raised.

Regulation and Enforcement

- Local jurisdictions may impose time, place, and manner restrictions and use nuisance law.
- Indoor grows will be initially limited to a certain square footage.
- Outdoor grows will be initially limited to a certain number of mature plants.
- Max civil penalty for most infractions is \$500 per day.
- OLCC marijuana enforcement inspectors will be able to conduct investigations, issue citations, make arrests and seizures, but not be able to enforce compliance with the OMMA.

Lab Standards and Testing

- OHA establishes lab and testing standards to provide consumers with accurate information about potency and contaminants.

Labeling and Packaging

- OHA will work with ODA and OLCC to set standards.
- Standards must include child-resistant packaging, clear information about potency, ingredients. No marketing to youth.

Opting Out

- To opt out, local government must have an election on whether to prohibit OLCC marijuana licensees.

Criminal Law Changes

- Expungement and reduction of marijuana crimes applicable to possession crimes.
- Change in classification of marijuana delivery, possession and production crimes.