

REVENUE: May have revenue impact, statement not yet issued

FISCAL: May have fiscal impact, statement not yet issued

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Adam Crawford, Administrator

Meeting Dates: 6/18

WHAT THE MEASURE DOES: Prohibits marijuana producers, processors, wholesalers or retailers from establishing within one mile of public or private schools. Prohibits medical marijuana facilities from establishing within one mile of public or private schools. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: (-3 amendment) Replaces measure. Allows medical marijuana dispensaries to sell up to one quarter ounce of dried leaves and flowers and four immature marijuana plants to persons at least 21 years of age. Requires dispensaries to record at minimum what was sold and name of person sold to for each transaction. Specifies products sold to be taxed at 25 percent at point of sale on or after January 4, 2016. Allows local governments to pass ordinances prohibiting sales. Sunsets December 31, 2016. Takes effect on 91st day after adjournment of 78th Legislative Assembly.

BACKGROUND: Current Oregon law in ORS 475.314 states medical marijuana facilities must be located in an area zoned for commercial, industrial or mixed use, or as agricultural land. A facility may not be located within 1,000 feet of a school or another registered facility, and may not be at an address registered with the Oregon Medical Marijuana Program as a grow site. Senate Bill 1531 in 2014 authorized local governments to place a moratorium of up to one year, but not beyond May 1, 2015, on the operation of facilities within their jurisdictions.

Siting requirements for Oregon Liquor Control Commission license holders are still undefined, but Section 59 of Measure 91 allows for cities and counties to adopt reasonable time, place and manner regulations of establishments that sell marijuana to consumers.

House Bill 2040 would allow cities and counties to pass ordinances that prohibit marijuana establishments, whether medical or recreational, within one mile of a public or private school.