

REVENUE: Revenue statement issued  
FISCAL: Fiscal statement issued  
SUBSEQUENT REFERRAL TO:

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Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Adam Crawford, Administrator

Meeting Dates: 3/23, 3/25, 4/1, 4/13, 4/27, 4/29, 5/4, 5/6, 5/11, 6/18, 6/23

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**WHAT THE MEASURE DOES:** Requires medical marijuana registry identification cardholders (cardholders), medical marijuana growers (growers), medical marijuana processors (processors) and medical marijuana dispensaries (dispensaries) be registered with Oregon Health Authority (OHA). Provides exemptions for licensing. Describes OHA licensing process for cardholders, growers, processors and dispensaries. Requires Oregon residency to receive registry identification card. Requires at least four years of Oregon residency for growers, and dispensary owners if registered with OHA after January 1, 2015. Requires at least two years of Oregon residency for processors. Requires processors and dispensary owners be at least 21 years of age. Limits grower to 24 mature plants if grow site is within city limits and in location zoned for residential use or 96 mature plants if grow site is not in previously described area, so long as grow site was registered with OHA prior to January 1, 2015. Limits grower to 12 mature plants if grow site is within city limits and in location zoned for residential use or 48 mature plants if grow site is not in previously described area if grower registers grow site after January 1, 2015. Requires grower to reduce plant count if specific events occur. Establishes tracking system for growers, processors and dispensaries. Allows Oregon Health Authority (OHA) to inspect only marijuana grow sites of persons designated to produce marijuana for other cardholders. Allows cardholder to reimburse person responsible for grow site for all costs associated with production of marijuana. Requires OHA to establish by rule public health and safety standards for processor of cannabinoid edibles, concentrates and extracts.). Allows local governments to enact reasonable regulations on grow sites, processing sites and dispensaries. Allows dispensary to remain at current location if school is established within 1,000 feet of dispensary. Allows marijuana processing facilities to be located in residential areas so long as processor does not process cannabinoid extracts. Allows co-location of marijuana processing site and marijuana grow site. Prohibits local governments from taxing marijuana. Requires all marijuana items transferred or sold to be tested and adequately packaged and labeled prior to sale or transfer. Exempts from testing, packaging and labeling requirement marijuana items transferred between grow sites, cardholders and primary caregivers. Requires OHA to establish rules for licensing and accrediting testing lab. Requires OHA, in consultation with Oregon Liquor Control Commission (OLCC) and ODA, to establish standards for testing marijuana items. Requires OHA, in consultation with OLCC and ODA, to establish standards for packaging and labeling marijuana items. Allows OHA to work with ODA and OLCC to implement and enforce provisions. Allows OHA, ODA, and OLCC to possess, seize or dispose of marijuana as necessary to implement and enforce provisions. Allows OHA to impose civil penalty for violations not exceeding \$500 per day. Establishes March 1, 2016 as operative date for specified parts of measure. Requires OHA for purposes of verifying residency to only require proof of residency for any person who is renewing registration of marijuana dispensaries and marijuana grow sites until January 1, 2016. Defines terms. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Existing Oregon Medical Marijuana Act regulations
- Licensure activities of OHA and ODA
- Current lab testing system for marijuana
- Opt out provisions of Washington and Colorado

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*This summary has not been adopted or officially endorsed by action of the committee.*

**EFFECT OF COMMITTEE AMENDMENT:** (-36 amendment) Replaces measure. Establishes Task Force on Researching the Medical and Public Health Properties of Cannabis (Task Force). Specifies Task Force membership, appointment process and rules. Requires Task Force to study and provide report on development of medical cannabis industry. Specifies topics to be addressed in report. Requires report and recommendations for legislation be submitted to interim committees of Legislative Assembly relating to health and marijuana no later than December 15, 2015 and again no later than February 1, 2016. Sunsets December 31, 2017. Declares emergency, effective on passage.

(-43 amendment) Replaces measure. Allows person convicted of criminal offense in which possession, delivery or manufacture of marijuana was an element to be eligible for order of expunction if one year has lapsed from conviction. Specifies eligibility for expunction requires person has not been convicted of any other crime excluding motor vehicle violations, fulfilled all conditional of adjudication and the person was under 21 years of age at time of conviction.

(-46 amendment) Allows organization or residential facility that provides palliative care to be designated as additional caregiver to medical marijuana cardholder (cardholder) with debilitating medical condition. Specifies duties, functions and powers of caregiver. Adds degenerative or pervasive neurological condition to definition of debilitating medical condition. Specifies transplant hospitals may not disqualify cardholder from receiving transplant strictly on basis of participation in medical marijuana program. Becomes operative on March 1, 2016.

**BACKGROUND:** In 1998, Oregon voters approved Ballot Measure 67 which allowed medical use of marijuana in Oregon within specified limits. It also established a state-controlled permit system. In December 1998, the Oregon Legislature passed Measure 67 into law. The law, known as the Oregon Medical Marijuana Act (OMMA), provides legal protections for qualified patients; requires a physician-written statement of the patient's qualifying debilitating medical condition; allows for a caregiver to provide assistance; and mandates an Oregon Health Authority registration system.

Senate Bill 844 modifies the OMMA as well as provides standards for lab testing of marijuana and packaging and labeling requirements for medical marijuana products.