

Senate Bill 464

Sponsored by Senator PROZANSKI (at the request of Sam Chapman) (Pre-session filed.)

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 **as introduced**.

Prohibits registrant under the Oregon Medical Marijuana Act from processing cannabinoid extracts unless registrant is certified by Oregon Health Authority to process cannabinoid extracts. Requires authority to adopt rules regulating processing of cannabinoid extracts.

Requires Oregon Liquor Control Commission to adopt rules regulating processing of marijuana extracts.

Requires authority and commission to collaborate in adoption of rules.

Becomes operative January 1, 2016.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to extracting cannabinoids from the cannabis plant; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 475.300 to**
5 **475.346.**

6 **SECTION 2. (1) As used in this section:**

7 (a)(A) "Cannabinoid extract" means a preparation made from the cannabis plant that is
8 intended to be ingested, vaporized or smoked and that contains cannabinoids extracted from
9 the cannabis plant by using a solvent to dissolve the cannabinoids. For purposes of this
10 subparagraph, "solvent" does not include water or vegetable glycerin.

11 (B) "Cannabinoid extract" does not include food or potable liquid infused with a
12 cannabinoid extract.

13 (b) "Process" means the processing or conversion of marijuana into a cannabinoid ex-
14 tract.

15 (2) A registrant under ORS 475.300 to 475.346 may not process cannabinoid extracts un-
16 less the registrant is certified by the Oregon Health Authority under this section.

17 (3) The authority shall adopt by rule:

18 (a) The qualifications required to be certified under this section;

19 (b) The form and manner of applying for a certificate under this section;

20 (c) The term of a certificate issued under this section and the form and manner of re-
21 newing a certificate under this section; and

22 (d) Fees for the issuance and renewal of a certificate under this section that are rea-
23 sonably calculated to pay the costs of administering this section.

24 (4) In collaboration with the Oregon Liquor Control Commission, the authority shall
25 adopt rules for processing cannabinoid extracts. At a minimum, rules adopted under this
26 section must establish:

27 (a) Minimum safety standards for equipment used to process cannabinoid extracts, in-
28 cluding that equipment used to process cannabinoid extracts must be designed to contain all

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 solvents used to dissolve cannabinoids;

2 (b) Training requirements for individuals who process cannabinoid extracts;

3 (c) Hygienic practices for individuals who process cannabinoid extracts;

4 (d) Procedures for disposing of waste created during the processing of cannabinoid ex-
5 tracts;

6 (e) Protocols to be followed in the event that an emergency occurs during the processing
7 of cannabinoid extracts;

8 (f) Protocols for testing processed cannabinoid extracts to ensure that the cannabinoid
9 extracts are fit for human consumption; and

10 (g) Procedures for recording the processing of each batch of cannabinoid extracts.

11 (5) The authority may investigate or contract for the investigation of the premises of a
12 registrant under ORS 475.300 to 475.346 to ensure compliance with this section.

13 (6) Subject to ORS chapter 183, the authority may:

14 (a) Refuse to issue or renew, condition the use of, suspend or revoke a certificate issued
15 under this section if the registrant is in violation of this section or a rule adopted under this
16 section; or

17 (b) Remove the registrant from the registry on which the registrant is listed under ORS
18 475.300 to 475.346.

19 **SECTION 3.** Section 4 of this 2014 Act is added to and made a part of sections 3 to 70,
20 chapter 1, Oregon Laws 2015.

21 **SECTION 4.** In collaboration with the Oregon Health Authority, the Oregon Liquor Con-
22 trol Commission shall adopt rules for processing marijuana extracts. At a minimum, rules
23 adopted under this section must establish:

24 (1) Minimum safety standards for equipment used to process marijuana extracts, includ-
25 ing that equipment used to process marijuana extracts must be designed to contain all sol-
26 vents used to dissolve cannabinoids;

27 (2) Training requirements for individuals who process marijuana extracts;

28 (3) Hygienic practices for individuals who process marijuana extracts;

29 (4) Procedures for disposing of waste created during the processing of marijuana ex-
30 tracts;

31 (5) Protocols to be followed in the event that an emergency occurs during the processing
32 of marijuana extracts;

33 (6) Protocols for testing processed marijuana extracts to ensure that the marijuana ex-
34 tracts are fit for human consumption; and

35 (7) Procedures for recording the processing of each batch of marijuana extracts.

36 **SECTION 5.** (1) Sections 2 and 4 of this 2015 Act become operative on January 1, 2016.

37 (2) The Oregon Health Authority and Oregon Liquor Control Commission may take any
38 action before the operative date specified in subsection (1) of this section to enable the au-
39 thority and commission to exercise, on and after the operative date specified in subsection
40 (1) of this section, all the duties, functions and powers conferred on the authority by section
41 2 of this 2015 Act and on the commission by section 4 of this 2015 Act.

42 **SECTION 6.** This 2015 Act being necessary for the immediate preservation of the public
43 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
44 on its passage.