

**PROPOSED AMENDMENTS TO
SENATE BILL 844**

1 On page 87 of the typed amendments to Senate Bill 844 dated April 23 (SB
2 844-6), after line 29, insert:

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4

“LOCAL OPTION

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6 **“SECTION 67b. Sections 67c to 67f of this 2015 Act are added to and
7 made a part of ORS 475.300 to 475.346.**

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9 **“SECTION 67c. (1) Subject to subsection (2) of this section, the
10 governing body of a city or county may adopt ordinances that prohibit
11 the establishment of medical marijuana dispensaries or marijuana
12 processing sites in the area subject to the jurisdiction of the city or
13 county.**

13 **“(2) The governing body of a city or county must adopt an ordi-
14 nance under this section no later than 180 days after the effective date
15 of this 2015 Act.**

16 **“SECTION 67d. (1) The governing body of a city or county, when a
17 petition is filed as provided in this section, shall order an election on
18 the question of whether the operation of medical marijuana
19 dispensaries or marijuana processing sites, or both, shall be prohibited
20 in the city or county.**

21 **“(2) Except as provided in subsections (3), (4) and (5) of this section,
22 the requirements for preparing, circulating and filing a petition under**

1 **this section:**

2 **“(a) In the case of a city, shall be as provided for an initiative pe-**
3 **tion under ORS 250.265 to 250.346.**

4 **“(b) In the case of a county, shall be as provided for an initiative**
5 **petition under ORS 250.165 to 250.235.**

6 **“(3) A petition prepared, circulated and filed under subsection (2)**
7 **of this section:**

8 **“(a) Must be filed not less than 60 days before the day of the**
9 **election; and**

10 **“(b) Must be signed by not less than four percent of the electors**
11 **registered in the city or county.**

12 **“(4) If ORS 250.155 makes ORS 250.165 to 250.235 inapplicable to a**
13 **county, or if ORS 250.255 makes ORS 250.265 to 250.346 inapplicable to**
14 **a city, the requirements for preparing, circulating and filing a petition**
15 **under this section shall be as provided for an initiative petition under**
16 **the county or city charter or an ordinance adopted under the county**
17 **or city charter.**

18 **“(5) No signature is valid unless signed within 180 days before the**
19 **petition is filed.**

20 **“(6) An election held pursuant to this section shall be held at the**
21 **time of the next statewide general election.**

22 **“(7) An election held pursuant to this section shall be conducted**
23 **under ORS chapters 246 to 260.**

24 **“(8) The filing of a petition under subsection (2) of this section does**
25 **not suspend any city or county ordinance prohibiting or allowing**
26 **medical marijuana dispensaries or marijuana processing sites, or both.**
27 **In each city or county that returns a majority vote to prohibit or allow**
28 **the operation of medical marijuana dispensaries or marijuana pro-**
29 **cessing sites, or both, the ordinance shall take effect January 1 fol-**
30 **lowing the date of the statewide general election.**

1 **“(9) An ordinance prohibiting the operation of medical marijuana**
2 **dispensaries or marijuana processing sites under this section does not**
3 **apply to:**

4 **“(a) A medical marijuana dispensary if the medical marijuana**
5 **dispensary:**

6 **“(A) Is registered under ORS 475.314 on or before the date on which**
7 **the ordinance takes effect; and**

8 **“(B) Is in compliance with applicable ordinances of a city or county**
9 **or is a land use applicant whose land use application is deemed com-**
10 **plete by a city or county and in compliance with applicable ordinances**
11 **of a city or county; or**

12 **“(b) A marijuana processing site if the marijuana processing site:**

13 **“(A) Is registered under section 10 of this 2015 Act on or before the**
14 **date on which the ordinance takes effect; and**

15 **“(B) Is in compliance with applicable ordinances of a city or county**
16 **or is a land use applicant whose land use application is deemed com-**
17 **plete by a city or county and in compliance with applicable ordinances**
18 **of a city or county.**

19 **“SECTION 67e. (1) Notwithstanding section 67c of this 2015 Act, a**
20 **medical marijuana dispensary is not subject to an ordinance adopted**
21 **under section 67c of this 2015 Act if the medical marijuana dispensary:**

22 **“(a) Is registered under ORS 475.314 on or before May 1, 2015; and**

23 **“(b)(A) Is in compliance with, or, if the medical marijuana**
24 **dispensary is not making transfers as described in ORS 475.314 (1) on**
25 **or before May 1, 2015, will be in compliance with, applicable ordinances**
26 **of a city or county; or**

27 **“(B) Is a land use applicant whose land use application is deemed**
28 **complete by a city or county and in compliance with applicable ordi-**
29 **nances of a city or county.**

30 **“(2) Notwithstanding section 67c of this 2015 Act, a medical**

1 marijuana dispensary is not subject to an ordinance adopted under
2 section 67c of this 2015 Act if the medical marijuana dispensary:

3 “(a) Applies to be registered under ORS 475.314 on or before July 1,
4 2015; and

5 “(b) Is in compliance with applicable ordinances of a city or county
6 or is a land use applicant whose land use application is deemed com-
7 plete by a city or county and in compliance with applicable ordinances
8 of a city or county.

9 “(3) This section does not apply to a medical marijuana dispensary
10 if the Oregon Health Authority revokes the registration of the medical
11 marijuana dispensary.

12 “SECTION 67f. (1) Notwithstanding section 67c of this 2015 Act, a
13 marijuana processing site is not subject to an ordinance adopted under
14 section 67c of this 2015 Act if the person responsible for the marijuana
15 processing site, or a person applying to be the person responsible for
16 the marijuana processing site:

17 “(a) Is registered under ORS 475.300 to 475.346 on or before the op-
18 erative date specified in section 70 of this 2015 Act;

19 “(b) Is processing usable marijuana as described in section 10 (1)
20 of this 2015 Act on or before the operative date specified in section 70
21 of this 2015 Act; and

22 “(c) Is in compliance with applicable ordinances of a city or county
23 or is a land use applicant whose land use application is deemed com-
24 plete by a city or county and in compliance with applicable ordinances
25 of a city or county.

26 “(2) This section does not apply to a marijuana processing site if the
27 Oregon Health Authority revokes the registration of the marijuana
28 processing site.

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“TEMPORARY DEFINITION

1 **“SECTION 67g. For purposes of sections 67c, 67d and 67e of this 2015**
2 **Act, a “medical marijuana dispensary” is a “medical marijuana**
3 **facility” as described in ORS 475.314 as that statute is in effect before**
4 **the operative date specified in section 70 of this 2015 Act.”.**

5 On page 88, line 14, delete “32 and 44” and insert “32, 44”.

6 In line 15, after “64” insert “and 67f”.

7 In line 26, delete “32 and 44 to 64” and insert “32, 44 to 64 and 67f”.

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