

**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:

3

4

“LOCAL OPTION

5

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

8

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, or both, in the area subject to the jurisdiction of the**
13 **city or county.**

13

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

16

17 **“(b) If the governing body of a city or county adopts an ordinance**
18 **under this section, the governing body shall submit the measure of the**
19 **ordinance to the electors of the city or county for approval at the next**
20 **statewide general election.**

20

21 **“(3) If the governing body of a city or county adopts an ordinance**
22 **under this section, the governing body must provide the text of the**
23 **ordinance to the Oregon Health Authority in a form and manner pre-**

1 scribed by the authority. Upon receiving notice under this section, the
2 authority shall discontinue registering, until the date of the next
3 statewide general election:

4 “(a) If the election concerns medical marijuana dispensaries, med-
5 ical marijuana dispensaries that are applying for registration under
6 ORS 475.314;

7 “(b) If the election concerns marijuana processing sites, marijuana
8 processing sites that are applying for registration under section 10 of
9 this 2015 Act; or

10 “(c) If the election concerns both medical marijuana dispensaries
11 and marijuana processing sites, medical marijuana dispensaries ap-
12 plying for registration under ORS 475.314 and marijuana processing
13 sites applying for registration under section 10 of this 2015 Act.

14 “(4) Notwithstanding subsection (1) of this section, a medical
15 marijuana dispensary is not subject to an ordinance adopted under this
16 section if the medical marijuana dispensary:

17 “(a) Is registered under ORS 475.314 on or before the date on which
18 the governing body adopts the ordinance; and

19 “(b) Is in compliance with applicable ordinances of a city or county
20 or is a land use applicant whose land use application is deemed com-
21 plete by a city or county and in compliance with applicable ordinances
22 of a city or county.

23 “(5) Notwithstanding subsection (1) of this section, a marijuana
24 processing site is not subject to an ordinance adopted under to this
25 section if the marijuana processing site:

26 “(a) Is registered under section 10 of this 2015 Act on or before the
27 date on which the governing body adopts the ordinance; and

28 “(b) Is in compliance with applicable ordinances of a city or county
29 or is a land use applicant whose land use application is deemed com-
30 plete by a city or county and in compliance with applicable ordinances

1 of a city or county.

2 **“SECTION 67d. (1) Notwithstanding section 67c of this 2015 Act, a**
3 **medical marijuana dispensary is not subject to an ordinance adopted**
4 **pursuant to section 67c of this 2015 Act if the medical marijuana**
5 **dispensary:**

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

7 **“(b) Is in compliance with or, if not making transfers as described**
8 **in ORS 475.314 (1) on or before May 1, 2015, will be in compliance with,**
9 **applicable ordinances of a city or county or is a land use applicant**
10 **whose land use application is deemed complete by a city or county and**
11 **in compliance with applicable ordinances of a city or county.**

12 **“(2) Notwithstanding section 67c of this 2015 Act, a medical**
13 **marijuana dispensary is not subject to an ordinance adopted pursuant**
14 **to section 67c of this 2015 Act if the medical marijuana dispensary:**

15 **“(a) Applies to be registered under ORS 475.314 on or before July 1,**
16 **2015; and**

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

21 **“(3) This section does not apply to a medical marijuana dispensary**
22 **if the Oregon Health Authority revokes the registration of the medical**
23 **marijuana dispensary.**

24 **“SECTION 67e. (1) Notwithstanding section 67c of this 2015 Act, a**
25 **marijuana processing site is not subject to an ordinance adopted pur-**
26 **suant to section 67c of this 2015 Act if the person responsible for the**
27 **marijuana processing site or applying to be the person responsible for**
28 **the marijuana processing site:**

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

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

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

8 **“(2) This section does not apply to a marijuana processing site if the**
9 **Oregon Health Authority revokes the registration of the marijuana**
10 **processing site.**

11

12

“TEMPORARY DEFINITION

13

14 **“SECTION 67f. For purposes of sections 67a, 67c and 67d of this 2015**
15 **Act, a “medical marijuana dispensary” is a “medical marijuana**
16 **facility” as described in ORS 475.314 as that statute is in effect before**
17 **the operative date specified in section 70 of this 2015 Act.”.**

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

19 In line 15, after “64” insert “and 67e”.

20 In line 26, delete “32 and 44 to 64” and insert “32, 44 to 64 and 67e”.

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