

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: 2/2

WHAT THE MEASURE DOES: Requires marijuana producers (producers), marijuana processor (processors), marijuana wholesalers (wholesalers), and marijuana retailers (retailers) licensed by the Oregon Liquor Control Commission (OLCC) to register with the OLCC to produce, process, transfer, or sell marijuana for medical purposes. Allows specified license types to produce, process, transfer, or sell marijuana or marijuana products for medical purposes under certain conditions. Exempts marijuana produced pursuant to personal agreements from mature marijuana canopy limits. Prohibits retailers from collecting tax on marijuana sold to Oregon Medical Marijuana Program (OMMP) cardholder or designated primary caregiver. Allows medical marijuana dispensaries to sell cannabinoid edibles and cannabinoid extracts to persons without OMMP registration card. Sets limit on number and type of cannabinoid edible and extract that may be purchased per day. Repeals OLCC authority to issue marijuana production license to Oregon Health Authority registered grower. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: (-1 amendment) Replaces measure. Requires marijuana producers (producers), marijuana processor (processors), marijuana wholesalers (wholesalers), and marijuana retailers (retailers) licensed by the Oregon Liquor Control Commission (OLCC) to register with the OLCC to produce, process, transfer, or sell marijuana for medical purposes. Allows specified license types to produce, process, transfer, or sell marijuana or marijuana products for medical purposes under certain conditions. Exempts marijuana produced pursuant to personal agreements from mature marijuana canopy limits, but may not exceed amount Oregon Medical Marijuana Program (OMMP) cardholder and caregiver may jointly possess. Modifies operative date for possession limits of medical marijuana producers to January 1, 2017 under specified circumstances. Requires Oregon Health Authority (OHA) to adopt rules establishing tetrahydrocannabinol single serving limits for consumers with and without valid OMMP registration cards. Prohibits retailers from collecting tax on marijuana sold to OMMP cardholder or designated primary caregiver. Establishes reciprocity out of state residents authorized to engage in medical use of marijuana. Allows medical marijuana dispensaries to sell cannabinoid edibles and cannabinoid extracts to persons without OMMP registration card. Sets limit on number and type of cannabinoid edible and extract that may be purchased per day. Repeals OLCC authority to issue marijuana production license to OHA registered grower. Declares emergency, effective on passage.

(-2 amendment) Exempts from definition of ‘marijuana,’ ‘cannabinoid product,’ and ‘medical cannabinoid product’ products containing nonpsychoactive cannabinoids intended to be applied to the skin or hair if concentration of cannabinoids in product is five percent or less than five percent of weight of product.

(-3 amendment) Prohibits Oregon Health Authority (OHA) from requiring usable marijuana, cannabinoid products, concentrates, and extracts transferred by medical marijuana dispensaries to meet concentration or packaging standards.

(-5 amendment) Requires OHA to adopt rules specifying minimum serving size of marijuana edible be not contain less than 10 milligrams of tetrahydrocannabinol. Requires OHA to adopt rules allowing at least 10 servings in cannabinoid

2/2/2016 9:35:00 AM *

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

edible package.

(-6 amendment) Removes requirement that cannabinoid extract cartridges sold by medical marijuana facility to non-OMMP cardholder solely include carbon dioxide vaporizers.

BACKGROUND: Under current Oregon law there are two separate regulatory systems through which marijuana is produced, processed, transferred, and sold: the OMMP administered by the Oregon Health Authority (OHA), and the adult use system administered by the OLCC. Preliminary data shows a significant number of OMMP growers, caregivers, and dispensaries are moving over to the OLCC-run adult use system, potentially leaving many of the over 77,000 OMMP patients without a grower, caregiver, or dispensary.

Senate Bill 1511 has several provisions that allow greater access to both systems for OMMP registrants, OLCC license holders, and the general public. These include allowing OLCC licensees the ability to produce, process, transfer, or sell marijuana to medical cardholders, processors, and dispensaries. Senate Bill 1511 would also allow OMMP cardholders to purchase marijuana tax free. Finally, it would allow those medical marijuana dispensaries currently selling to non-OMMP cardholders to sell edibles and prefilled carbon dioxide vaporizer cartridges containing cannabinoid extracts. Any products must be tested according to OHA rule prior to sale.