

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, 2/12, 2/16

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.

(-4 amendment) Allows consumption of marijuana at cannabis café provided consent is given by each employee and vendor, notice is posted, specified ventilation system is in operation, and only allows person 21 and in controlled area.

2/16/2016 10:31:00 AM *

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

(-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 edible package.

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

(-7 amendment) Prohibits local governments from adopting ordinances that requires distances greater than 1,000 feet between medical marijuana dispensaries.

(-8 amendment) Allows local governments to adopt ordinances allowing medical marijuana dispensaries to be located within 500 feet of schools if a local government determines a physical or geographic barrier separates the two. Requires local government adopting specified ordinance to notify OHA.

(-9 amendment) Requires conditions of supervision related to marijuana use for OMMP cardholders who are on work release must be imposed in same manner as conditions of supervision related to prescription drugs.

(-10 amendment) Allows OHA to take until May 1st, 2016 to determine the grandfather status of those medical producers growing more than 48 but less than 96 plants.

(-12 amendment) Removes requirement OLCC license applicant obtain a land use compatibility statement if applicant is applying for license at an existing marijuana grow site address in good standing, in operation since January 1, 2015, and applying for marijuana plant canopy no larger than 10,000 square feet. Exempts marijuana grow site from local city or county ordinances if grow site was registered with OHA since January 1, 2015 and in good standing.

(-13 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. Requires Oregon Health Authority (OHA) to adopt rules establishing tetrahydrocannabinol single serving limits for consumers with and without valid OMMP registration cards. Allows OHA to take until May 1st, 2016 to determine the grandfather status of those medical producers growing more than 48 but less than 96 plants. Stays marijuana possession limits for marijuana growers applying for OLCC licensure until April 1st provided specified actions are taken. Prohibits retailers from collecting tax on marijuana sold to 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. Removes requirement that cannabinoid extract cartridges sold by medical marijuana facility to non-OMMP cardholder solely include carbon dioxide vaporizers. Repeals OLCC authority to issue marijuana production license to OHA registered grower. Declares emergency, effective on passage.

(-14 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.

(-16 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. Requires Oregon Health Authority (OHA) to adopt rules establishing tetrahydrocannabinol single serving limits for consumers with and without valid OMMP registration cards. Directs OHA to adopt rules prescribing

differing concentration levels of tetrahydrocannabinol allowable in a single serving for persons registered and not registered with OMMP. Allows OHA to take until May 1st, 2016 to determine the grandfather status of those medical producers growing more than 48 but less than 96 plants. Stays marijuana possession limits for marijuana growers applying for OLCC licensure until April 1st provided specified actions are taken. Describes notification process growers must follow when notifying patients of application to OLCC licensure. Prohibits retailers from collecting tax on marijuana sold to 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. Removes requirement that cannabinoid extract cartridges sold by medical marijuana facility to non-OMMP cardholder solely include carbon dioxide vaporizers. Repeals OLCC authority to issue marijuana production license to OHA registered grower. Declares emergency, effective on passage.

(-17 amendment) Removes requirement OLCC license applicant obtain a land use compatibility statement if applicant is applying for license at an existing marijuana grow site address in good standing, in operation since January 1, 2015, and applying for marijuana plant canopy no larger than 10,000 square feet.

(-18 amendment) Exempts marijuana grow site from specified local city or county ordinances if grow site was registered with OHA since January 1, 2015 and in good standing.

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.