

Joint Committee On Marijuana Legalization

Fiscal: Fiscal impact issued
Revenue: Has minimal revenue impact

Action Date: 02/16/16

Action: Do Pass The A-Eng Bill.

Meeting Dates: 02/16, 02/23

Vote:

House

Yeas: 5 - Buckley, Helm, Lininger, Olson, Wilson

Senate

Yeas: 5 - Beyer, Burdick, Ferrioli, Kruse, Prozanski

Prepared By: Adam Crawford, Committee Administrator

WHAT THE MEASURE DOES:

Removes requirement to obtain land use compatibility statement imposed upon person responsible for marijuana grow site that is applying for a license from the Oregon Liquor Control Commission (OLCC) for a grow outside city limits with a canopy of up to 1,250 square feet indoors or 5,000 square feet outdoors, if at least one person responsible for the grow registered with the Oregon Health Authority (OHA) prior to January 1, 2015. Deems marijuana a farm crop for OLCC-licensed marijuana growers, research certificate holders, and those persons responsible for a grow site registered with OHA prior to January 1, 2015. Allows marijuana processors to transfer medical cannabinoid product, concentrate, or extract to Oregon Medical Marijuana Program (OMMP) cardholders or designated primary caregivers if OMMP cardholder or designated caregiver provided marijuana processor with marijuana to be processed into medical cannabinoid product, concentrate, or extract. Allows OMMP cardholder or designated caregiver to reimburse marijuana processor for all costs associated with processing transferred product. Specifies OHA may inspect marijuana grow site of persons designated to produce marijuana by an OHA-registered cardholder operative March 1, 2016. Allows persons responsible for grow sites to delegate reporting of tracking information to OHA to another OHA-registered grower at the same site. Allows OHA medical marijuana dispensary operated as a nonprofit organization to receive gifts of useable marijuana, immature marijuana plants, and seeds from OHA-registered cardholders or OLCC licensees and certificate holders. Allows nonprofit medical marijuana dispensary to dispense usable marijuana at discounted price or free of charge if registered cardholder is at or below federal poverty line. Requires OHA to adopt rules to implement nonprofit medical dispensary program. Requires OHA to solicit proposals for the purpose of choosing one or more entities to conduct public health and consumer safety research relating to marijuana.

Specifies if legal entity is applying for OLCC licensure as a marijuana business, OLCC may require fingerprints of persons associated with that legal entity. Requires individuals who work for marijuana producers, processors, wholesalers, or retailers to have a valid worker permit issued by OLCC. Adds setback ordinances for opaque farm buildings built on or before July 1, 2015 to list of reasonable regulations local governments may impose. Provides for expungement of marijuana-related crimes if penalty for crime has been reduced to that which is eligible for expungement.

Repeals sections of House Bill 4014 A and Senate Bill 1511 A relating to taxation of cannabis. Sets operative dates for specific provisions of the measure. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Land use regulations for farm use crops
- FBI fingerprinting requirements
- Nonprofit dispensary operations

EFFECT OF COMMITTEE AMENDMENT:

Replaces measure.

BACKGROUND:

Under current Oregon law, all applicants seeking to become licensed marijuana producers by the Oregon Liquor Control Commission (OLCC) are required to obtain a land use compatibility statement from their local government, and OLCC processors may only receive or distribute marijuana from other OLCC licensees.

Senate Bill 1598 A removes the compatibility statement requirement for small-scale marijuana producers growing outside city limits who were registered with the Oregon Health Authority (OHA) prior to January 1, 2015. Senate Bill 1598 A also deems marijuana a farm crop for purposes of right to farm laws while allowing local governments to adopt ordinances enacting reasonable regulations. The measure also allows marijuana processors to receive usable marijuana from OMMP patients, process it, and deliver it back to the patient. Finally, the measure repeals sections of previously passed legislation relating to taxation.