

Requested by JOINT COMMITTEE ON MARIJUANA LEGALIZATION

**PROPOSED AMENDMENTS TO  
SENATE BILL 1511**

1 On page 1 of the printed bill, line 2, after “ORS” insert “475B.015,”.  
2 In line 3, delete “and 475B.375” and insert “, 475B.345, 475B.375, 475B.625,  
3 475B.730 and 475B.750”.  
4 Delete lines 6 through 25 and delete pages 2 through 15 and insert:

5  
6 **“REGISTRATION FOR MEDICAL PURPOSES**  
7 **“(Series Placement)**

8  
9 **“SECTION 1. Sections 2 to 6 of this 2016 Act are added to and made**  
10 **a part of ORS 475B.010 to 475B.395.**

11  
12 **“(Marijuana Producers)**

13  
14 **“SECTION 2. (1) As used in this section, ‘designated primary**  
15 **caregiver,’ ‘marijuana processing site,’ ‘medical marijuana**  
16 **dispensary’ and ‘registry identification cardholder’ have the meanings**  
17 **given those terms in ORS 475B.410.**

18 **“(2) To produce marijuana for medical purposes, a marijuana pro-**  
19 **ducer that holds a license under ORS 475B.070 must register with the**  
20 **Oregon Liquor Control Commission under this section.**

21 **“(3) The commission shall register a marijuana producer for the**

1 **purpose of producing marijuana for medical purposes if the marijuana**  
2 **producer:**

3 **“(a) Holds a license under ORS 475B.070;**

4 **“(b) Meets any qualifications adopted by the commission by rule;**

5 **“(c) Applies to the commission in a form and manner prescribed by**  
6 **the commission; and**

7 **“(d) Pays any fee adopted by the commission by rule.**

8 **“(4)(a) A marijuana producer registered under this section may**  
9 **produce marijuana for a registry identification cardholder, and provide**  
10 **usable marijuana to the registry identification cardholder or to the**  
11 **designated primary caregiver of the registry identification cardholder,**  
12 **if the marijuana producer enters into an agreement with the registry**  
13 **identification cardholder for whom the marijuana producer is produc-**  
14 **ing the marijuana. An agreement entered into under this subsection:**

15 **“(A) Must be in a form prescribed by the commission;**

16 **“(B) Except as provided in subparagraph (E) of this paragraph, may**  
17 **not allow the marijuana producer to be compensated for producing the**  
18 **marijuana or providing the usable marijuana;**

19 **“(C) May not allow the marijuana producer to produce for the reg-**  
20 **istry identification cardholder an amount of mature marijuana plants**  
21 **that exceeds the amount that a registry identification cardholder and**  
22 **a designated primary caregiver may jointly possess under ORS**  
23 **475B.428;**

24 **“(D) May not allow the marijuana producer to provide to the reg-**  
25 **istry identification cardholder an amount of usable marijuana that**  
26 **exceeds the amount that a registry identification cardholder and a**  
27 **designated primary caregiver may jointly possess under ORS 475B.430;**  
28 **and**

29 **“(E) May require a registry identification cardholder, or a desig-**  
30 **nated primary caregiver on behalf of a registry identification**

1 cardholder, to reimburse a marijuana producer for all costs associated  
2 with producing marijuana for the registry identification cardholder or  
3 providing usable marijuana to the registry identification cardholder  
4 or designated primary caregiver.

5 “(F) May allow the marijuana producer to keep a portion of the  
6 usable marijuana harvested from the marijuana produced for the reg-  
7 istry identification cardholder for the purposes of:

8 “(i) Providing usable marijuana to additional registry identification  
9 cardholders or designated primary caregivers; and

10 “(ii) Transferring or selling usable marijuana to marijuana pro-  
11 cessing sites or medical marijuana dispensaries.

12 “(c) Marijuana produced for a registry identification cardholder,  
13 and usable marijuana transferred or sold to a marijuana processing  
14 site or medical marijuana dispensary, pursuant to an agreement en-  
15 tered into under this subsection must be tracked by the system de-  
16 veloped and maintained under ORS 475B.150.

17 “(d)(A) Upon request by the commission, the Oregon Health Au-  
18 thority shall provide the commission, notwithstanding any laws relat-  
19 ing to the confidentiality of information under ORS 475B.460 and  
20 475B.462, with the registration information of:

21 “(i) A registry identification cardholder who enters into an agree-  
22 ment under this subsection; or

23 “(ii) A registry identification cardholder, designated primary  
24 caregiver, marijuana processing site or medical marijuana dispensary  
25 that receives usable marijuana pursuant to an agreement entered into  
26 under this subsection.

27 “(B) Registration information received by the commission under  
28 this paragraph that is confidential and not subject to public disclosure  
29 under ORS 475B.460 and 475B.462 remains confidential and not subject  
30 to public disclosure after being provided to the commission.



1 **cess marijuana and usable marijuana into medical grade cannabinoid**  
2 **products, cannabinoid concentrates and cannabinoid extracts.**

3 **“(4) The commission shall adopt rules necessary to administer this**  
4 **section. The rules must provide that any fee adopted by the commis-**  
5 **sion under subsection (2)(d) of this section be in an amount reasonably**  
6 **calculated to not exceed, together with other fees collected under ORS**  
7 **475B.010 to 475B.395, the cost of administering ORS 475B.010 to**  
8 **475B.395.**

9  
10 **“(Marijuana Wholesalers)**

11  
12 **“SECTION 4. (1) To sell marijuana at wholesale for medical pur-**  
13 **poses, a marijuana wholesaler that holds a license under ORS 475B.100**  
14 **must register with the Oregon Liquor Control Commission under this**  
15 **section.**

16 **“(2) The commission shall register a marijuana wholesaler for the**  
17 **purpose of selling marijuana at wholesale for medical purposes if the**  
18 **marijuana wholesaler:**

19 **“(a) Holds a license under ORS 475B.100;**

20 **“(b) Meets any qualifications adopted by the commission by rule;**

21 **“(c) Applies to the commission in a form and manner prescribed by**  
22 **the commission; and**

23 **“(d) Pays any fee adopted by the commission by rule.**

24 **“(3) A marijuana wholesaler registered under this section may sell**  
25 **medical grade cannabinoid products, cannabinoid concentrates and**  
26 **cannabinoid extracts at wholesale.**

27 **“(4) The commission shall adopt rules necessary to administer this**  
28 **section. The rules must provide that any fee adopted by the commis-**  
29 **sion under subsection (2)(d) of this section be in an amount reasonably**  
30 **calculated to not exceed, together with other fees collected under ORS**

1 475B.010 to 475B.395, the cost of administering ORS 475B.010 to  
2 475B.395.

3

4

“(Marijuana Retailers)

5

6 **“SECTION 5. (1) As used in this section, ‘designated primary**  
7 **caregiver’ and ‘registry identification cardholder’ have the meanings**  
8 **given those terms in ORS 475B.410.**

9 **“(2) To sell marijuana at retail for medical purposes, a marijuana**  
10 **retailer that holds a license under ORS 475B.110 must register with the**  
11 **Oregon Liquor Control Commission under this section.**

12 **“(3) The commission shall register a marijuana retailer for the**  
13 **purpose of selling marijuana at retail for medical purposes if the**  
14 **marijuana retailer:**

15 **“(a) Holds a license under ORS 475B.110;**

16 **“(b) Meets any qualifications adopted by the commission by rule;**

17 **“(c) Applies to the commission in a form and manner prescribed by**  
18 **the commission; and**

19 **“(d) Pays any fee adopted by the commission by rule.**

20 **“(4) A marijuana retailer registered under this section:**

21 **“(a) May sell medical grade cannabinoid products, cannabinoid**  
22 **concentrates and cannabinoid extracts to registry identification**  
23 **cardholders and designated primary caregivers;**

24 **“(b) May not sell medical grade cannabinoid products, cannabinoid**  
25 **concentrates and cannabinoid extracts to individuals other than reg-**  
26 **istry identification cardholders and designated primary caregivers;**

27 **“(c) May sell usable marijuana and medical grade cannabinoid pro-**  
28 **ducts, cannabinoid concentrates and cannabinoid extracts to registry**  
29 **identification cardholders and designated primary caregivers at a dis-**  
30 **counted price; and**

1       “(d) May provide usable marijuana and medical grade cannabinoid  
2 products, cannabinoid concentrates and cannabinoid extracts to reg-  
3 istry identification cardholders and designated primary caregivers free  
4 of charge.

5       “(5) The commission shall adopt rules necessary to administer this  
6 section. The rules must provide that any fee adopted by the commis-  
7 sion under subsection (3)(d) of this section be in an amount reasonably  
8 calculated to not exceed, together with other fees collected under ORS  
9 475B.010 to 475B.395, the cost of administering ORS 475B.010 to  
10 475B.395.

11       “SECTION 6. Notwithstanding the provisions of ORS 475B.400 to  
12 475B.525, rules adopted by the Oregon Health Authority under ORS  
13 475B.400 to 475B.525 must allow for the provision, transfer and sale of  
14 usable marijuana as described in section 2 of this 2016 Act.

15  
16                               “(General Rulemaking Authority)  
17

18       “SECTION 7. ORS 475B.070 is amended to read:

19       “475B.070. (1) The production of marijuana is subject to regulation by the  
20 Oregon Liquor Control Commission.

21       “(2) A marijuana producer must have a production license issued by the  
22 commission for the premises at which the marijuana is produced. To hold a  
23 production license under this section, a marijuana producer:

24       “(a) Must apply for a license in the manner described in ORS 475B.040;

25       “(b) Must, until January 1, 2020, provide proof that an applicant listed  
26 on an application submitted under ORS 475B.040 has been a resident of this  
27 state for two or more years, and must provide proof that the applicant is 21  
28 years of age or older; and

29       “(c) Must meet the requirements of any rule adopted by the commission  
30 under subsection (3) of this section.

1 “(3) The commission shall adopt rules that:

2 “(a) Require a marijuana producer to annually renew a license issued  
3 under this section;

4 “(b) Establish application, licensure and renewal of licensure fees for  
5 marijuana producers;

6 “(c) Require marijuana produced by marijuana producers to be tested in  
7 accordance with ORS 475B.555;

8 “(d) **Allow a marijuana producer registered under section 2 of this**  
9 **2016 Act to produce marijuana for medical purposes in the same**  
10 **manner that rules adopted under ORS 475B.010 to 475B.395 allow a**  
11 **marijuana producer to produce marijuana for nonmedical purposes,**  
12 **excepting those circumstances where differentiating between the pro-**  
13 **duction of marijuana for medical purposes and the production of**  
14 **marijuana for nonmedical purposes is necessary to protect the public**  
15 **health and safety;**

16 “[*d*] (e) Require marijuana producers to submit, at the time of applying  
17 for or renewing a license under ORS 475B.040, a report describing the  
18 applicant’s or licensee’s electrical or water usage; and

19 “[*e*](A) (f)(A) Require a marijuana producer to meet any public health  
20 and safety standards and industry best practices established by the commis-  
21 sion by rule related to:

22 “(i) The production of marijuana; or

23 “(ii) The propagation of immature marijuana plants and the seeds of the  
24 plant Cannabis family Cannabaceae.

25 “(B) For purposes of establishing rules under subparagraph (A)(ii) of this  
26 paragraph, the commission may not limit:

27 “(i) The number of immature marijuana plants that may be possessed by  
28 a marijuana producer licensed under this section;

29 “(ii) The size of the grow canopy a marijuana producer licensed under this  
30 section uses to grow immature marijuana plants; or



1 “(iii) The weight or size of shipments of immature marijuana plants made  
2 by a marijuana producer licensed under this section.

3 “(4) Fees adopted under subsection (3)(b) of this section:

4 “(a) May not exceed the cost of administering ORS 475B.010 to 475B.395  
5 with respect to marijuana producers;

6 “(b) Shall be in the form of a schedule that imposes a greater fee for  
7 premises with more square footage or on which more mature marijuana  
8 plants are grown; and

9 “(c) Shall be deposited in the Marijuana Control and Regulation Fund  
10 established under ORS 475B.240.

11 **“SECTION 8.** ORS 475B.090 is amended to read:

12 “475B.090. (1) The processing of marijuana items is subject to regulation  
13 by the Oregon Liquor Control Commission.

14 “(2) A marijuana processor must have a processor license issued by the  
15 commission for the premises at which marijuana items are processed. To hold  
16 a processor license under this section, a marijuana processor:

17 “(a) Must apply for a license in the manner described in ORS 475B.040;

18 “(b) Must, until January 1, 2020, provide proof that an applicant listed  
19 on an application submitted under ORS 475B.040 has been a resident of this  
20 state for two or more years, and must provide proof that the applicant is 21  
21 years of age or older;

22 “(c) If the marijuana processor processes marijuana extracts, may not be  
23 located in an area zoned exclusively for residential use; and

24 “(d) Must meet the requirements of any rule adopted by the commission  
25 under subsection (3) of this section.

26 “(3) The commission shall adopt rules that:

27 “(a) Require a marijuana processor to annually renew a license issued  
28 under this section;

29 “(b) Establish application, licensure and renewal of licensure fees for  
30 marijuana processors;

1 “(c) Require marijuana processed by a marijuana processor to be tested  
2 in accordance with ORS 475B.555; [and]

3 **“(d) Allow a marijuana processor registered under section 3 of this**  
4 **2016 Act to process marijuana and usable marijuana into medical grade**  
5 **cannabinoid products, cannabinoid concentrates and cannabinoid ex-**  
6 **tracts in the same manner that rules adopted under ORS 475B.010 to**  
7 **475B.395 allow a marijuana processor to process marijuana and usable**  
8 **marijuana into general use cannabinoid products, cannabinoid con-**  
9 **centrates and cannabinoid extracts, excepting those circumstances**  
10 **where differentiating between the processing of medical grade**  
11 **cannabinoid products, cannabinoid concentrates and cannabinoid ex-**  
12 **tracts and the processing of general use cannabinoid products,**  
13 **cannabinoid concentrates and cannabinoid extracts is necessary to**  
14 **protect the public health and safety; and**

15 “[*d*] (e) Require a marijuana processor to meet any public health and  
16 safety standards and industry best practices established by the commission  
17 by rule related to:

18 “(A) Cannabinoid edibles;

19 “(B) Cannabinoid concentrates;

20 “(C) Cannabinoid extracts; and

21 “(D) Any other type of cannabinoid product identified by the commission  
22 by rule.

23 “(4) Fees adopted under subsection (3)(b) of this section:

24 “(a) May not exceed the cost of administering ORS 475B.010 to 475B.395  
25 with respect to marijuana processors; and

26 “(b) Shall be deposited in the Marijuana Control and Regulation Fund  
27 established under ORS 475B.240.

28 **“SECTION 9.** ORS 475B.100 is amended to read:

29 “475B.100. (1) The wholesale sale of marijuana items is subject to regu-  
30 lation by the Oregon Liquor Control Commission.

1 “(2) A marijuana wholesaler must have a wholesale license issued by the  
2 commission for the premises at which marijuana items are received, stored  
3 or delivered. To hold a wholesale license under this section, a marijuana  
4 wholesaler:

5 “(a) Must apply for a license in the manner described in ORS 475B.040;

6 “(b) Must, until January 1, 2020, provide proof that an applicant listed  
7 on an application submitted under ORS 475B.040 has been a resident of this  
8 state for two or more years, and must provide proof that the applicant is 21  
9 years of age or older;

10 “(c) May not be located in an area that is zoned exclusively for residen-  
11 tial use; and

12 “(d) Must meet the requirements of any rule adopted by the commission  
13 under subsection (3) of this section.

14 “(3) The commission shall adopt rules that:

15 “(a) Require a marijuana wholesaler to annually renew a license issued  
16 under this section;

17 “(b) Establish application, licensure and renewal of licensure fees for  
18 marijuana wholesalers;

19 “(c) Require marijuana items received, stored or delivered by a marijuana  
20 wholesaler to be tested in accordance with ORS 475B.555; *[and]*

21 “(d) **Allow a marijuana wholesaler registered under section 4 of this**  
22 **2016 Act to sell medical grade cannabinoid products, cannabinoid con-**  
23 **centrates and cannabinoid extracts at wholesale in the same manner**  
24 **that rules adopted under ORS 475B.010 to 475B.395 allow a marijuana**  
25 **wholesaler to sell general use cannabinoid products, cannabinoid con-**  
26 **centrates and cannabinoid extracts at wholesale, excepting those cir-**  
27 **cumstances where differentiating between the sale of medical grade**  
28 **cannabinoid products, cannabinoid concentrates and cannabinoid ex-**  
29 **tracts and the sale of general use cannabinoid products, cannabinoid**  
30 **concentrates and cannabinoid extracts is necessary to protect the**

1 **public health and safety; and**

2 “[~~(d)~~] (e) Require a marijuana wholesaler to meet any public health and  
3 safety standards and industry best practices established by the commission  
4 by rule.

5 “(4) Fees adopted under subsection (3)(b) of this section:

6 “(a) May not exceed the cost of administering ORS 475B.010 to 475B.395  
7 with respect to marijuana wholesalers; and

8 “(b) Shall be deposited in the Marijuana Control and Regulation Fund  
9 established under ORS 475B.240.

10 **“SECTION 10.** ORS 475B.110 is amended to read:

11 “475B.110. (1) The retail sale of marijuana items is subject to regulation  
12 by the Oregon Liquor Control Commission.

13 “(2) A marijuana retailer must have a retail license issued by the com-  
14 mission for the premises at which marijuana items are sold. To hold a retail  
15 license under this section, a marijuana retailer:

16 “(a) Must apply for a license in the manner described in ORS 475B.040;

17 “(b) Must, until January 1, 2020, provide proof that an applicant listed  
18 on an application submitted under ORS 475B.040 has been a resident of this  
19 state for two or more years, and must provide proof that the applicant is 21  
20 years of age or older;

21 “(c) May not be located in an area that is zoned exclusively for residen-  
22 tial use;

23 “(d) May not be located within 1,000 feet of:

24 “(A) A public elementary or secondary school for which attendance is  
25 compulsory under ORS 339.020; or

26 “(B) A private or parochial elementary or secondary school, teaching  
27 children as described in ORS 339.030 (1)(a); and

28 “(e) Must meet the requirements of any rule adopted by the commission  
29 under subsection (3) of this section.

30 “(3) The commission shall adopt rules that:

1 “(a) Require a marijuana retailer to annually renew a license issued un-  
2 der this section;

3 “(b) Establish application, licensure and renewal of licensure fees for  
4 marijuana retailers;

5 “(c) Require marijuana items sold by a marijuana retailer to be tested in  
6 accordance with ORS 475B.555; [and]

7 “(d) **Subject to the limitations and privileges described in section 5**  
8 **(4) of this 2016 Act, allow a marijuana retailer registered under section**  
9 **5 of this 2016 Act to sell medical grade cannabinoid products,**  
10 **cannabinoid concentrates and cannabinoid extracts at retail in the**  
11 **same manner that rules adopted under ORS 475B.010 to 475B.395 allow**  
12 **a marijuana retailer to sell general use cannabinoid products,**  
13 **cannabinoid concentrates and cannabinoid extracts at retail, excepting**  
14 **those circumstances where differentiating between the sale of medical**  
15 **grade cannabinoid products, cannabinoid concentrates and**  
16 **cannabinoid extracts and the sale of general use cannabinoid products,**  
17 **cannabinoid concentrates and cannabinoid extracts is necessary to**  
18 **protect the public health and safety; and**

19 “[d] (e) Require a marijuana retailer to meet any public health and  
20 safety standards and industry best practices established by the commission  
21 by rule.

22 “(4) Fees adopted under subsection (3)(b) of this section:

23 “(a) May not exceed the cost of administering ORS 475B.010 to 475B.395  
24 with respect to marijuana retailers; and

25 “(b) Shall be deposited in the Marijuana Control and Regulation Fund  
26 established under ORS 475B.240.

27

28 “(Conforming Amendments)

29

30 “**SECTION 11.** ORS 475B.015 is amended to read:

1 “475B.015. As used in ORS 475B.010 to 475B.395:

2 “[~~(1)~~ *‘Consumer’ means a person who purchases, acquires, owns, holds or*  
3 *uses marijuana items other than for the purpose of resale.*]

4 “[~~(2)~~] **(1)** ‘Cannabinoid’ means any of the chemical compounds that are the  
5 active constituents of marijuana.

6 “[~~(3)~~] **(2)** ‘Cannabinoid concentrate’ means a substance obtained by sepa-  
7 rating cannabinoids from marijuana by:

8 “(a) A mechanical extraction process;

9 “(b) A chemical extraction process using a nonhydrocarbon-based or other  
10 solvent, such as water, vegetable glycerin, vegetable oils, animal fats,  
11 isopropyl alcohol or ethanol;

12 “(c) A chemical extraction process using the hydrocarbon-based solvent  
13 carbon dioxide, provided that the process does not involve the use of high  
14 heat or pressure; or

15 “(d) Any other process identified by the Oregon Liquor Control Commis-  
16 sion, in consultation with the Oregon Health Authority, by rule.

17 “[~~(4)~~] **(3)** ‘Cannabinoid edible’ means food or potable liquid into which a  
18 cannabinoid concentrate, cannabinoid extract or dried marijuana leaves or  
19 flowers have been incorporated.

20 “[~~(5)~~] **(4)** ‘Cannabinoid extract’ means a substance obtained by separating  
21 cannabinoids from marijuana by:

22 “(a) A chemical extraction process using a hydrocarbon-based solvent,  
23 such as butane, hexane or propane;

24 “(b) A chemical extraction process using the hydrocarbon-based solvent  
25 carbon dioxide, if the process uses high heat or pressure; or

26 “(c) Any other process identified by the commission, in consultation with  
27 the authority, by rule.

28 “[~~(6)(a)~~] **(5)(a)** ‘Cannabinoid product’ means a cannabinoid edible and any  
29 other product intended for human consumption or use, including a product  
30 intended to be applied to the skin or hair, that contains cannabinoids or

1 dried marijuana leaves or flowers.

2 “(b) ‘Cannabinoid product’ does not include:

3 “(A) Usable marijuana by itself;

4 “(B) A cannabinoid concentrate by itself;

5 “(C) A cannabinoid extract by itself; or

6 “(D) Industrial hemp, as defined in ORS 571.300.

7 “(6) ‘Consumer’ means a person who purchases, acquires, owns,  
8 holds or uses marijuana items other than for the purpose of resale.

9 “(7)(a) ‘Financial consideration’ means value that is given or received ei-  
10 ther directly or indirectly through sales, barter, trade, fees, charges, dues,  
11 contributions or donations.

12 “(b) ‘Financial consideration’ does not include:

13 “(A) Homegrown marijuana that is given or received when nothing is  
14 given or received in return; or

15 “(B) Homemade cannabinoid products or cannabinoid concentrates that  
16 are given or received when nothing is given or received in return.

17 “(8) ‘Homegrown’ or ‘homemade’ means grown or made by a person 21  
18 years of age or older for noncommercial purposes.

19 “(9) ‘Household’ means a housing unit and any place in or around a  
20 housing unit at which the occupants of the housing unit are producing,  
21 processing, or storing homegrown marijuana or homemade cannabinoid pro-  
22 ducts or cannabinoid concentrates.

23 “(10) ‘Housing unit’ means a house, an apartment or a mobile home, or  
24 a group of rooms or a single room that is occupied as separate living quar-  
25 ters, in which the occupants live and eat separately from any other persons  
26 in the building and that has direct access from the outside of the building  
27 or through a common hall.

28 “(11) ‘Immature marijuana plant’ means a marijuana plant that is not  
29 flowering.

30 “(12) ‘Licensee’ means a person who holds a license issued under ORS

1 475B.070, 475B.090, 475B.100 or 475B.110.

2 “(13) ‘Licensee representative’ means an owner, director, officer, manager,  
3 employee, agent or other representative of a licensee, to the extent that the  
4 person acts in a representative capacity.

5 “(14)(a) ‘Marijuana’ means the plant Cannabis family Cannabaceae, any  
6 part of the plant Cannabis family Cannabaceae and the seeds of the plant  
7 Cannabis family Cannabaceae.

8 “(b) ‘Marijuana’ does not include industrial hemp, as defined in ORS  
9 571.300.

10 “(15) ‘Marijuana flowers’ means the flowers of the plant genus Cannabis  
11 within the plant family Cannabaceae.

12 “(16) ‘Marijuana items’ means marijuana, cannabinoid products,  
13 cannabinoid concentrates and cannabinoid extracts.

14 “(17) ‘Marijuana leaves’ means the leaves of the plant genus Cannabis  
15 within the plant family Cannabaceae.

16 “(18) ‘Marijuana processor’ means a person who processes marijuana  
17 items in this state.

18 “(19) ‘Marijuana producer’ means a person who produces marijuana in  
19 this state.

20 “(20) ‘Marijuana retailer’ means a person who sells marijuana items to a  
21 consumer in this state.

22 “(21) ‘Marijuana wholesaler’ means a person who purchases marijuana  
23 items in this state for resale to a person other than a consumer.

24 “(22) ‘Mature marijuana plant’ means a marijuana plant that is not an  
25 immature marijuana plant.

26 “(23) **‘Medical grade cannabinoid product, cannabinoid concentrate**  
27 **or cannabinoid extract’ means a cannabinoid product, cannabinoid**  
28 **concentrate or cannabinoid extract that has a concentration of**  
29 **tetrahydrocannabinol that is permitted under ORS 475B.625 in a single**  
30 **serving of the cannabinoid product, cannabinoid concentrate or**



1 **cannabinoid extract for consumers who hold a valid registry identifi-**  
2 **cation card issued under ORS 475B.415.**

3 **“(24) ‘Medical purpose’ means a purpose related to using usable**  
4 **marijuana, cannabinoid products, cannabinoid concentrates or**  
5 **cannabinoid extracts to mitigate the symptoms or effects of a debili-**  
6 **tating medical condition, as defined in ORS 475B.410.**

7 **“[(23)] (25) ‘Noncommercial’ means not dependent or conditioned upon the**  
8 **provision or receipt of financial consideration.**

9 **“[(24)(a)] (26)(a) ‘Premises’ or ‘licensed premises’ includes the following**  
10 **areas of a location licensed under ORS 475B.070, 475B.090, 475B.100 or**  
11 **475B.110:**

12 **“(A) All public and private enclosed areas at the location that are used**  
13 **in the business operated at the location, including offices, kitchens, rest**  
14 **rooms and storerooms;**

15 **“(B) All areas outside a building that the commission has specifically li-**  
16 **censed for the production, processing, wholesale sale or retail sale of**  
17 **marijuana items; and**

18 **“(C) For a location that the commission has specifically licensed for the**  
19 **production of marijuana outside a building, the entire lot or parcel, as de-**  
20 **defined in ORS 92.010, that the licensee owns, leases or has a right to occupy.**

21 **“(b) ‘Premises’ or ‘licensed premises’ does not include a primary residence.**

22 **“[(25)(a)] (27)(a) ‘Processes’ means the processing, compounding or con-**  
23 **version of marijuana into cannabinoid products, cannabinoid concentrates**  
24 **or cannabinoid extracts.**

25 **“(b) ‘Processes’ does not include packaging or labeling.**

26 **“[(26)(a)] (28)(a) ‘Produces’ means the manufacture, planting, cultivation,**  
27 **growing or harvesting of marijuana.**

28 **“(b) ‘Produces’ does not include:**

29 **“(A) The drying of marijuana by a marijuana processor, if the marijuana**  
30 **processor is not otherwise producing marijuana; or**

1 “(B) The cultivation and growing of an immature marijuana plant by a  
2 marijuana processor, marijuana wholesaler or marijuana retailer if the  
3 marijuana processor, marijuana wholesaler or marijuana retailer purchased  
4 or otherwise received the plant from a licensed marijuana producer.

5 “[27] (29) ‘Propagate’ means to grow immature marijuana plants or to  
6 breed or produce the seeds of the plant Cannabis family Cannabaceae.

7 “[28] (30) ‘Public place’ means a place to which the general public has  
8 access and includes, but is not limited to, hallways, lobbies and other parts  
9 of apartment houses and hotels not constituting rooms or apartments de-  
10 signed for actual residence, and highways, streets, schools, places of  
11 amusement, parks, playgrounds and areas used in connection with public  
12 passenger transportation.

13 “[29(a)] (31)(a) ‘Usable marijuana’ means the dried leaves and flowers  
14 of marijuana.

15 “(b) ‘Usable marijuana’ does not include:

16 “(A) The seeds, stalks and roots of marijuana; or

17 “(B) Waste material that is a by-product of producing or processing  
18 marijuana.

19 **“SECTION 12.** ORS 475B.160 is amended to read:

20 “475B.160. (1) **Except as provided in section 2 of this 2016 Act,** a  
21 marijuana producer, marijuana processor or marijuana wholesaler may de-  
22 liver marijuana items only to or on a [*licensed*] premises.

23 “(2) **Except as provided in section 2 of this 2016 Act,** a [*licensed*]  
24 premises may receive marijuana items only from a marijuana producer,  
25 marijuana processor or marijuana wholesaler for whom a premises has been  
26 licensed by the Oregon Liquor Control Commission.

27 “(3) The sale of marijuana items by a marijuana retailer that holds a li-  
28 cense issued under ORS 475B.110 must be restricted to the premises described  
29 in the license, but deliveries may be made by the marijuana retailer to con-  
30 sumers pursuant to a bona fide order received at the [*licensed*] premises prior

1 to delivery.

2 **“SECTION 13.** ORS 475B.245 is amended to read:

3 “475B.245. ORS 475B.025, **475B.030**, 475B.033, 475B.035, 475B.040, 475B.045,  
4 **475B.050**, 475B.055, 475B.060, **475B.063**, 475B.065, 475B.068, 475B.070,  
5 **475B.075**, 475B.090, 475B.100, 475B.110, **475B.115**, **475B.125**, 475B.130,  
6 **475B.135**, **475B.140**, **475B.145**, **475B.150**, 475B.160, 475B.165, 475B.170,  
7 **475B.180**, **475B.190**, **475B.195**, **475B.200**, **475B.205**, 475B.210, **475B.215**,  
8 **475B.218**, **475B.230**, **475B.233**, **475B.235**, **475B.240**, [475B.265,] 475B.325,  
9 475B.330, 475B.335, **475B.340**, **475B.345**, 475B.350, 475B.353, 475B.355,  
10 475B.358, **475B.360**, **475B.365**, **475B.370**, [and] 475B.380 **and 475B.373 and**  
11 **sections 2, 3, 4 and 5 of this 2016 Act** do not apply:

12 “(1) To the production, processing or storage of homegrown marijuana at  
13 a household by one or more persons 21 years of age and older, if the total  
14 amount of homegrown marijuana at the household does not exceed four  
15 marijuana plants and eight ounces of usable marijuana at any time.

16 “(2) To the making, processing or storage of homemade cannabinoid pro-  
17 ducts at a household by one or more persons 21 years of age and older, if the  
18 total amount of homemade cannabinoid products at the household does not  
19 exceed 16 ounces in solid form at any time.

20 “(3) To the making, processing or storage of homemade cannabinoid pro-  
21 ducts at a household by one or more persons 21 years of age and older, if the  
22 total amount of homemade cannabinoid products at the household does not  
23 exceed 72 ounces in liquid form at any time.

24 “(4) To the making, processing or storage of homemade cannabinoid con-  
25 centrates at a household by one or more persons 21 years of age or older, if  
26 the total amount of homemade cannabinoid concentrates at the household  
27 does not exceed 16 ounces at any time.

28 “(5) To the delivery of not more than one ounce of homegrown marijuana  
29 at a time by a person 21 years of age or older to another person 21 years of  
30 age or older for noncommercial purposes.

1 “(6) To the delivery of not more than 16 ounces of homemade cannabinoid  
2 products in solid form at a time by a person 21 years of age or older to an-  
3 other person 21 years of age or older for noncommercial purposes.

4 “(7) To the delivery of not more than 72 ounces of homemade cannabinoid  
5 products in liquid form at a time by a person 21 years of age or older to  
6 another person 21 years of age or older for noncommercial purposes.

7 “(8) To the delivery of not more than 16 ounces of cannabinoid concen-  
8 trates at a time by a person 21 years of age or older to another person 21  
9 years of age or older for noncommercial purposes.

10 **“SECTION 14.** ORS 475B.375 is amended to read:

11 “475B.375. ORS 475B.025, 475B.033, 475B.035, 475B.040, 475B.045, 475B.055,  
12 475B.060, 475B.065, 475B.068, 475B.070, 475B.090, 475B.100, 475B.110, 475B.130,  
13 475B.160, 475B.165, 475B.170, 475B.180, 475B.185, 475B.190, 475B.195, 475B.200,  
14 475B.205, 475B.210, 475B.250, 475B.255, 475B.260, 475B.265, 475B.270, 475B.275,  
15 475B.280, 475B.298, 475B.300, 475B.305, 475B.310, 475B.315, 475B.320, 475B.325,  
16 475B.330, 475B.335, 475B.340, 475B.350, 475B.353, 475B.355, 475B.358, 475B.365,  
17 475B.378, 475B.380 and 475B.395[:] **and section 2 of this 2016 Act:**

18 “(1) Do not apply to the extent a person acts within the scope of and in  
19 compliance with the Oregon Medical Marijuana Act; and

20 “(2) Do not amend or affect duties, functions and powers of the Oregon  
21 Health Authority under the Oregon Medical Marijuana Act.

22 **“SECTION 15.** ORS 475B.625 is amended to read:

23 “475B.625. (1) The Oregon Health Authority shall adopt rules establishing:

24 “(a) The maximum concentration of tetrahydrocannabinol that is permit-  
25 ted in a single serving of a cannabinoid product or cannabinoid concentrate  
26 or extract; and

27 “(b) The number of servings that are permitted in a cannabinoid product  
28 or cannabinoid concentrate or extract package.

29 **“(2) In adopting rules under subsection (1)(a) of this section, the**  
30 **authority shall prescribe the different levels of concentration of**

1 **tetrahydrocannabinol that is permitted in a single serving of a**  
2 **cannabinoid product or cannabinoid concentrate or extract for:**

3 **“(a) Consumers who hold a valid registry identification card issued**  
4 **under ORS 475B.415; and**

5 **“(b) Consumers who do not hold a valid registry identification card**  
6 **issued under ORS 475B.415.**

7 “[2] (3) In adopting rules under ORS 475B.400 to 475B.525, the authority  
8 shall require all usable marijuana, cannabinoid products and cannabinoid  
9 concentrates and extracts transferred by a medical marijuana dispensary  
10 registered under ORS 475B.450 to meet the concentration standards **and**  
11 **packaging standards** adopted by rule pursuant to [*subsection (1) of*] this  
12 section.

13 “[3] (4) In adopting rules under ORS 475B.010 to 475B.395, the Oregon  
14 Liquor Control Commission shall require all usable marijuana, cannabinoid  
15 products and cannabinoid concentrates and extracts sold or transferred by  
16 a marijuana retailer that holds a license under ORS 475B.110 to meet the  
17 concentration standards **and packaging standards** adopted by rule pursuant  
18 to [*subsection (1) of*] this section.

19

20 **“TAX RELIEF FOR REGISTRY IDENTIFICATION CARDHOLDERS**

21

22 **“SECTION 16. Section 17 of this 2016 Act is added to and made a**  
23 **part of ORS 475B.700 to 475B.760.**

24 **“SECTION 17. (1) As used in this section, ‘designated primary**  
25 **caregiver,’ ‘registry identification card’ and ‘registry identification**  
26 **cardholder’ have the meanings given those terms in ORS 475B.410.**

27 **“(2) Notwithstanding ORS 475B.705:**

28 **“(a) A tax is not imposed upon the retail sale of marijuana items**  
29 **in this state to a registry identification cardholder or to a designated**  
30 **primary caregiver who is purchasing a marijuana item for a registry**

1 **identification cardholder; and**

2 **“(b) A marijuana retailer may not collect the tax imposed under**  
3 **ORS 475B.705 from a consumer if, at the time at which the retail sale**  
4 **of the marijuana item occurs, the consumer provides proof to the**  
5 **marijuana retailer that the consumer:**

6 **“(A) Holds a valid registry identification card under ORS 475B.415;**  
7 **or**

8 **“(B) Holds a valid identification card under ORS 475B.415 (5)(b) and**  
9 **is purchasing the marijuana item for a registry identification**  
10 **cardholder.**

11 **“(3) The Department of Revenue:**

12 **“(a) Shall adopt rules establishing procedures by which a marijuana**  
13 **retailer shall document that a consumer holds a valid registry iden-**  
14 **tification card issued under ORS 475B.415 or a valid identification card**  
15 **issued under ORS 475B.415 (5)(b); and**

16 **“(b) May adopt rules establishing procedures by which the depart-**  
17 **ment may verify that a marijuana retailer collects the tax imposed**  
18 **under ORS 475B.705 from consumers of marijuana items who are not**  
19 **registry identification cardholders or designated primary caregivers.**

20 **“SECTION 18. ORS 475B.345 is amended to read:**

21 **“475B.345. (1) As used in this section, ‘designated primary**  
22 **caregiver’ and ‘registry identification cardholder’ have the meanings**  
23 **given those terms in ORS 475B.410.**

24 **“[(1)(a)] (2)(a) Except as expressly authorized by this section, the au-**  
25 **thority to impose a tax or fee on the production, processing or sale of**  
26 **marijuana items in this state is vested solely in the Legislative Assembly.**

27 **“(b) Except as expressly authorized by this section, a county, city or other**  
28 **municipal corporation or district may not adopt or enact ordinances impos-**  
29 **ing a tax or fee on the production, processing or sale of marijuana items in**  
30 **this state.**

1        “[2] (3) Subject to subsection [(4)] (5) of this section, the governing body  
2 of a city or county may adopt an ordinance to be referred to the electors of  
3 the city or county as described in subsection [(3)] (4) of this section that  
4 imposes a tax or a fee on the sale of marijuana items that are sold in the  
5 area subject to the jurisdiction of the city or the unincorporated area subject  
6 to the jurisdiction of a county by a person that holds a license under ORS  
7 475B.110.

8        “[3] (4) If the governing body of a city or county adopts an ordinance  
9 under this section, the governing body shall refer the measure of the ordi-  
10 nance to the electors of the city or county for approval at the next statewide  
11 general election.

12        “[4] (5) An ordinance adopted under this section may not impose a tax  
13 or fee:

14        “(a) In excess of three percent[.]; or

15        “(b) **On a registry identification cardholder or on a designated pri-**  
16 **mary caregiver who is purchasing a marijuana item for a registry**  
17 **identification cardholder.**

18        “**SECTION 19.** ORS 475B.730 is amended to read:

19        “475B.730. (1) Notwithstanding the confidentiality provisions of ORS  
20 475B.755, the Department of Revenue may disclose information received un-  
21 der ORS 317.363 and 475B.700 to 475B.760 to:

22        “(a) The Oregon Liquor Control Commission to carry out the provisions  
23 of ORS 475B.010 to 475B.395 and 475B.700 to 475B.760[.]; and

24        “(b) **The Oregon Health Authority to carry out the provisions of**  
25 **section 17 of this 2016 Act.**

26        “(2) The commission may disclose information obtained pursuant to ORS  
27 475B.010 to 475B.395 and 475B.700 to 475B.760 to the department for the  
28 purpose of carrying out the provisions of ORS 475B.010 to 475B.395 and  
29 475B.700 to 475B.760.

30        “(3) **The authority may disclose information obtained pursuant to**

1 **ORS 475B.415 or 475B.418 to the department for the purpose of carrying**  
2 **out the provisions of section 17 of this 2016 Act, provided that the au-**  
3 **thority does not disclose personally identifiable information.**

4 **“SECTION 20.** ORS 475B.750 is amended to read:

5 “475B.750. (1) The Department of Revenue shall administer and enforce  
6 ORS 475B.700 to 475B.760. The department is authorized to establish rules  
7 and procedures for the implementation and enforcement of ORS 475B.700 to  
8 475B.760 that are consistent with ORS 475B.700 to 475B.760 and that the de-  
9 partment considers necessary and appropriate to administer and enforce ORS  
10 475B.700 to 475B.760.

11 “(2) The Oregon Liquor Control Commission shall enter into an agree-  
12 ment with the department for the purpose of administering and enforcing  
13 those provisions of ORS 475B.700 to 475B.760, and rules or procedures es-  
14 tablished for the purpose of implementing and enforcing ORS 475B.700 to  
15 475B.760, that the commission and the department determine are necessary  
16 for the effective and efficient administration, implementation and enforce-  
17 ment of ORS 475B.700 to 475B.760.

18 **“(3) The Oregon Health Authority shall enter into an agreement**  
19 **with the department for the purpose of administering and enforcing**  
20 **the provisions of section 17 of this 2016 Act, and rules or procedures**  
21 **established for the purpose of implementing and enforcing section 17**  
22 **of this 2016 Act, that the authority and the department determine are**  
23 **necessary for the effective and efficient administration, implementa-**  
24 **tion and enforcement of section 17 of this 2016 Act.**

25  
26 **“RECIPROCITY**  
27

28 **“SECTION 21.** Section 22 of this 2016 Act is added to and made a  
29 **part of ORS 475B.400 to 475B.525.**

30 **“SECTION 22.** For any purpose described in ORS 475B.010 to



1 475B.395, 475B.400 to 475B.525 and 475B.700 to 475B.760, including ex-  
2 emption from criminal liability under ORS 475B.475, a valid state card  
3 or other document has the same legal effect as a registry identification  
4 card if the card or document authenticates that:

5 “(1) The holder of the card or document is authorized under the  
6 laws of another state to engage in the medical use of marijuana; or

7 “(2) The holder of the card or document is exempt from criminal  
8 liability under the laws of another state for purposes related to en-  
9 gaging in the medical use of marijuana.

10  
11 **“EARLY START**

12  
13 **“SECTION 23.** Section 2, chapter 784, Oregon Laws 2015, is amended to  
14 read:

15 **“Sec. 2.** (1) As used in this section:

16 **“(a) ‘Cannabinoid edible’ has the meaning given that term in ORS**  
17 **475B.410.**

18 **“(b) ‘Cannabinoid extract’ has the meaning given that term in ORS**  
19 **475B.410.**

20 **“[(a)] (c) ‘Limited marijuana retail product’ means:**

21 **“(A) The seeds of marijuana;**

22 **“(B) The dried leaves and flowers of marijuana; [and]**

23 **“(C) A marijuana plant that is not flowering[.];**

24 **“(D) Cannabinoid edibles;**

25 **“(E) Nonpsychoactive medical cannabinoid products intended to be**  
26 **applied to a person’s skin or hair; and**

27 **“(F) Prefilled carbon dioxide vaporizer cartridges containing**  
28 **cannabinoid extracts.**

29 **“[(b)] (d) ‘Marijuana’ means the plant Cannabis family Cannabaceae, any**  
30 **part of the plant Cannabis family Cannabaceae and the seeds of the plant**

1 Cannabis family Cannabaceae.

2 “(e) **‘Medical cannabinoid product’ has the meaning given that term**  
3 **in ORS 475B.410.**

4 “[~~(c)~~] (f) ‘Medical marijuana dispensary’ means an entity registered with  
5 the Oregon Health Authority under ORS [~~475.314~~] **475B.450.**

6 “(2) Notwithstanding any other provision of law, on and after October 1,  
7 2015, a medical marijuana dispensary may sell limited marijuana retail  
8 product to a person who is 21 years of age or older if:

9 “(a) The person presents proof of age to the medical marijuana dispensary  
10 before entering into the medical marijuana dispensary;

11 “(b) The medical marijuana dispensary verifies that the person is 21 years  
12 of age or older at the time of the sale;

13 “(c) The medical marijuana dispensary sells no more than one-quarter  
14 ounce of limited marijuana retail product to the person per day if the person  
15 is purchasing the dried leaves and flowers of marijuana; [~~and~~]

16 “(d) The medical marijuana dispensary sells no more than four units of  
17 limited marijuana retail product to the person if the person is purchasing a  
18 marijuana plant that is not flowering[.];

19 “(e) **The medical marijuana dispensary sells no more than one**  
20 **single-serving, low-dose unit of limited marijuana retail product to the**  
21 **person per day if the person is purchasing a cannabinoid edible; and**

22 “(f) **The medical marijuana dispensary sells no more than one car-**  
23 **tridge of limited marijuana retail product to the person per day if the**  
24 **person is purchasing a prefilled carbon dioxide vaporizer cartridge**  
25 **containing a cannabinoid extract.**

26 “(3) A city or county may adopt ordinances prohibiting the sale of limited  
27 marijuana retail product as described in this section in the area subject to  
28 the jurisdiction of the city or the unincorporated area subject to the juris-  
29 diction of the county.

30 “(4) The authority shall adopt rules **or issue orders** to implement this

1 section, including rules **or orders** that:

2 **“(a) Ensure that all limited marijuana retail product sold by a**  
3 **medical marijuana dispensary under this section is tested as prescribed**  
4 **by the authority;**

5 **“[(a)] (b) Are necessary to ensure the public health and safety; and**

6 **“[(b)] (c) Ensure that a medical marijuana dispensary complies with this**  
7 **section.**

8 **“(5) The authority may prohibit a medical marijuana dispensary from**  
9 **selling limited marijuana retail product as described in this section if the**  
10 **medical marijuana dispensary violates this section.**

11

12

**“STAY ON POSSESSION LIMITS  
FOR MATURE MARIJUANA PLANTS**

13

14

15 **“SECTION 24. (1) As used in this section:**

16 **“(a) ‘Marijuana’ has the meaning given that term in ORS 475B.015.**

17 **“(b) ‘Marijuana grow site’ has the meaning given that term in ORS**  
18 **475B.410.**

19 **“(c) ‘Marijuana producer’ has the meaning given that term in ORS**  
20 **475B.015.**

21 **“(d) ‘Premises’ has the meaning given that term in ORS 475B.015.**

22 **“(e) ‘Produce’ has the meaning given that term in ORS 475B.015.**

23 **“(f) ‘Registry identification cardholder’ has the meaning given that**  
24 **term in ORS 475B.410.**

25 **“(2) Notwithstanding ORS 475B.428 (3)(b) and (4)(b), for each person**  
26 **responsible for a marijuana grow site located at an address that was**  
27 **first registered with the Oregon Health Authority under ORS 475B.420**  
28 **before January 1, 2015, the amount of mature marijuana plants located**  
29 **at that address on December 31, 2014, may be produced at the address,**  
30 **regardless of whether that amount is in excess of the limits imposed**

1 under ORS 475B.428 (3)(b) and (4)(b), if:

2 “(a)(A) A completed application has been filed with the Oregon Li-  
3 quor Control Commission under ORS 475B.040 to produce marijuana  
4 on the premises that is located at the address, and the applicant has  
5 paid in full the application and licensure fees adopted by the commis-  
6 sion under ORS 475B.070; or

7 “(B) Under the circumstance that the commission discontinues li-  
8 censing the premises of marijuana producers pursuant to ORS 475B.800  
9 (4)(b), a completed application has been filed with the commission  
10 under ORS 475B.040 to produce marijuana on the premises that is lo-  
11 cated at the address, except for the requirement that a land use com-  
12 patibility statement be obtained as described in ORS 475B.063, and the  
13 applicant has paid in full the application and licensure fees adopted  
14 by the commission under ORS 475B.070; and

15 “(b) On or before April 1, 2016, the applicant files notice with the  
16 authority in the manner required by subsection (3) of this section that  
17 the applicant intends to hold a license under ORS 475B.070.

18 “(3) Notice filed with the authority for purposes of subsection (2)(b)  
19 of this section:

20 “(a) Must be in a form and manner prescribed by the authority; and

21 “(b) Must contain the following information:

22 “(A) The name and signature of each person responsible for a  
23 marijuana grow site located at the address, attesting that each person  
24 responsible for a marijuana grow site located at the address consents  
25 to the intent to hold a license under ORS 475B.070;

26 “(B) The name, and a copy of the signature, of each registry iden-  
27 tification cardholder for whom marijuana is produced at the address,  
28 attesting that each registry identification cardholder will transfer  
29 ownership to the applicant of all marijuana being produced for the  
30 registry identification cardholder at the address, and of all usable

1 marijuana being provided to the registry identification cardholder  
2 from the address, that is in the applicant's possession at the time that  
3 the applicant receives a license under ORS 475B.070 from the commis-  
4 sion; and

5 “(C) A statement that the applicant has filed a completed applica-  
6 tion with the commission under ORS 475B.040 to produce marijuana  
7 on the premises that is located at the address.

8 “(4) Upon receiving notice under subsection (2)(b) of this section,  
9 the authority shall:

10 “(a) Forward the notice to the commission; and

11 “(b) Suspend issuing marijuana grow site registration cards under  
12 ORS 475B.420 to any proposed marijuana grow site that would be lo-  
13 cated at the premises for which licensure is sought.

14 “(5) Upon receiving notice from the authority under subsection (4)  
15 of this section, the commission shall provide the authority with in-  
16 formation verifying that the applicant has met the conditions set forth  
17 in subsection (2)(a)(A) or (B) of this section.

18 “(6) The commission and the authority shall enter into an agree-  
19 ment for the purpose of sharing information necessary to implement  
20 and administer this section. As part of the agreement, the authority  
21 shall provide to the commission, notwithstanding any laws relating to  
22 the confidentiality of information under ORS 475B.460 and 475B.462, the  
23 registration information of a person responsible for a marijuana grow  
24 site, or of a registry identification cardholder, whose name is submit-  
25 ted as part of the notice required by subsection (2)(b) of this section.  
26 Information received by the commission under this subsection that is  
27 confidential and not subject to public disclosure under ORS 475B.460  
28 and 475B.462 remains confidential and not subject to public disclosure  
29 after being provided to the commission.

30 **SECTION 25.** Notwithstanding the operative date specified in sec-

1 **tion 179, chapter 614, Oregon Laws 2015, a person is not subject to the**  
2 **limits imposed on mature marijuana plants under ORS 475B.428 (3)(b)**  
3 **and (4)(b) until April 1, 2016.**

4 **“SECTION 26. Sections 24 and 25 of this 2016 Act are repealed on**  
5 **January 1, 2017.**

6  
7 **“REPEAL OF AUTHORITY TO ISSUE**  
8 **MARIJUANA PRODUCTION LICENSES**  
9 **TO MARIJUANA GROW SITES**

10  
11 **“SECTION 27. ORS 475B.080 is repealed.**

12 **“SECTION 28. ORS 475B.285 is amended to read:**

13 **“475B.285. (1) An Oregon Liquor Control Commission regulatory specialist**  
14 **has the authority as provided in ORS 133.005 to 133.400, 133.450, 133.525 to**  
15 **133.703, 133.721 to 133.739, 161.235, 161.245 and 475B.010 to 475B.395, ORS**  
16 **chapter 153 and chapter 743, Oregon Laws 1971, to conduct inspections and**  
17 **investigations, make seizures, aid in prosecutions for offenses, issue citations**  
18 **for violations and otherwise enforce the provisions of ORS 475B.010 to**  
19 **475B.395, any rule adopted under ORS 475B.010 to 475B.395 and any other**  
20 **law of this state that charges the commission with a duty, function or power**  
21 **related to marijuana, including enforcing any provision of a law or rule re-**  
22 **lated to individuals who use false identification for purposes of purchasing**  
23 **or possessing a marijuana item or who engage in illegal activity on or near**  
24 **a [licensed] premises.**

25 **“(2) A commission regulatory specialist may not:**

26 **“(a) Be sworn in as a federal law enforcement official and act in that**  
27 **capacity while performing duties under this section.**

28 **“(b) Carry a firearm.**

29 **“(c) Conduct inspections and investigations of a primary residence or for**  
30 **purposes of ensuring compliance with ORS 475B.245 and 475B.375.**

1       “(d) [*Except as provided in ORS 475B.080,*] Conduct inspections and in-  
2       vestigations for purposes of ensuring compliance with ORS 475B.400 to  
3       475B.525.

4

5

**“UNIT CAPTIONS**

6

7       **“SECTION 29. The unit captions used in this 2016 Act are provided**  
8       **only for the convenience of the reader and do not become part of the**  
9       **statutory law of this state or express any legislative intent in the**  
10       **enactment of this 2016 Act.**

11

12

**“EMERGENCY CLAUSE**

13

14       **“SECTION 30. This 2016 Act being necessary for the immediate**  
15       **preservation of the public peace, health and safety, an emergency is**  
16       **declared to exist, and this 2016 Act takes effect on its passage.”.**

17

\_\_\_\_\_