

Requested by Senator PROZANSKI

**PROPOSED AMENDMENTS TO  
SENATE BILL 1511**

1 On page 1 of the printed bill, line 3, delete “475B.285 and 475B.375” and  
2 insert “475B.285, 475B.375 and 475B.450”.

3 On page 14, after line 35, insert:  
4

5 **“DISTANCE REQUIREMENTS**  
6

7 **“SECTION 16a. Section 16b of this 2016 Act is added to and made a**  
8 **part of ORS 475B.400 to 475B.525.**

9 **“SECTION 16b. (1) Notwithstanding ORS 475B.450 (3)(d), a city or**  
10 **county may adopt an ordinance allowing a medical marijuana**  
11 **dispensary to be located within 500 feet of a public elementary or sec-**  
12 **ondary school for which attendance is compulsory under ORS 339.020,**  
13 **or a private or parochial elementary or secondary school teaching**  
14 **children as described in ORS 339.030 (1)(a), if the county or city de-**  
15 **termines that a physical or geographic barrier capable of preventing**  
16 **children from traversing to the school separates the medical**  
17 **marijuana dispensary from the school.**

18 **“(2) A city or county that adopts an ordinance under this section**  
19 **must inform the Oregon Health Authority, in a form and manner**  
20 **prescribed by the authority, of the content and effective date of the**  
21 **ordinance.**

1       **“SECTION 16c.** ORS 475B.450 is amended to read:

2       “475B.450. (1)(a) The Oregon Health Authority shall establish by rule a  
3 medical marijuana dispensary registration system for the purpose of tracking  
4 and regulating the transfer of:

5       “(A) Usable marijuana, immature marijuana plants and seeds from regis-  
6 try identification cardholders, designated primary caregivers and persons  
7 responsible for marijuana grow sites to medical marijuana dispensaries;

8       “(B) Medical cannabinoid products, cannabinoid concentrates and  
9 cannabinoid extracts from persons responsible for marijuana processing sites  
10 to medical marijuana dispensaries; and

11       “(C) Usable marijuana, immature marijuana plants, seeds, medical  
12 cannabinoid products, cannabinoid concentrates and cannabinoid extracts  
13 from medical marijuana dispensaries to registry identification cardholders  
14 and designated primary caregivers.

15       “(b) A person may not operate an establishment for the purpose of pro-  
16 viding the services described in paragraph (a) of this subsection unless the  
17 person is registered under this section.

18       “(2) The registration system established under subsection (1) of this sec-  
19 tion must require an applicant for a medical marijuana dispensary to submit  
20 an application to the authority that includes:

21       “(a) The name of the individual who owns the medical marijuana  
22 dispensary or, if a business entity owns the medical marijuana dispensary,  
23 the name of each individual who has a financial interest in the medical  
24 marijuana dispensary;

25       “(b) The name of the individual or individuals responsible for the medical  
26 marijuana dispensary, if different from the name of the individual who owns  
27 the medical marijuana dispensary;

28       “(c) The address of the medical marijuana dispensary;

29       “(d) Proof, until January 1, 2020, that each individual responsible for the  
30 medical marijuana dispensary has been a resident of this state for two or

1 more years, and proof that each individual responsible for the medical  
2 marijuana dispensary is 21 years of age or older;

3 “(e) Documentation, as required by the authority by rule, that demon-  
4 strates the medical marijuana dispensary meets the requirements of sub-  
5 section (3) of this section; and

6 “(f) Any other information that the authority considers necessary.

7 “(3) To qualify for registration under this section, a medical marijuana  
8 dispensary:

9 “(a) May not be located in an area that is zoned for residential use;

10 “(b) May not be located at the same address as a marijuana grow site;

11 “(c) Must be registered as a business, or have filed an application to  
12 register as a business, with the office of the Secretary of State;

13 “(d) **Except as provided under section 16b of this 2016 Act**, may not  
14 be located within 1,000 feet of:

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

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

19 “(e) Must not be located within 1,000 feet of another medical marijuana  
20 dispensary; and

21 “(f) Must meet the requirements of any rule adopted by the authority  
22 under subsection (10) of this section.

23 “(4)(a) The authority shall conduct a criminal records check under ORS  
24 181A.195 for each individual named in an application submitted under sub-  
25 section (2) of this section.

26 “(b) An individual convicted for the manufacture or delivery of a con-  
27 trolled substance in Schedule I or Schedule II may not own or be responsible  
28 for a medical marijuana dispensary for two years from the date the individ-  
29 ual is convicted.

30 “(c) An individual convicted more than once for the manufacture or de-

1 livery of a controlled substance in Schedule I or Schedule II may not own  
2 or be responsible for a medical marijuana dispensary.

3 “(5) If a person submits the application required under subsection (2) of  
4 this section, if the medical marijuana dispensary identified in the application  
5 meets the requirements of this section and any rules adopted under this  
6 section and if each individual named in the application passes the criminal  
7 records check required under subsection (4) of this section, the authority  
8 shall register the medical marijuana dispensary and issue proof of registra-  
9 tion. Proof of registration must be displayed on the premises of the medical  
10 marijuana dispensary at all times.

11 “(6) A medical marijuana dispensary that is registered under this section  
12 is not required to register with the State Board of Pharmacy under ORS  
13 475.125.

14 “(7) The individual or individuals responsible for a medical marijuana  
15 dispensary shall maintain documentation of each transfer of usable  
16 marijuana, medical cannabinoid products, cannabinoid concentrates,  
17 cannabinoid extracts, immature marijuana plants and seeds.

18 “(8) The authority may inspect:

19 “(a) The premises of a proposed medical marijuana dispensary or a regis-  
20 tered medical marijuana dispensary to ensure compliance with this section  
21 and ORS 475B.453 and any rules adopted under this section or ORS 475B.453;  
22 and

23 “(b) The records of a registered medical marijuana dispensary to ensure  
24 compliance with subsection (7) of this section.

25 “(9) Subject to the provisions of ORS chapter 183, the authority may re-  
26 fuse to register an applicant under this section or may suspend or revoke the  
27 registration of a medical marijuana dispensary if the authority determines  
28 that the applicant, the owner of the medical marijuana dispensary, a person  
29 responsible for the medical marijuana dispensary, or an employee of the  
30 medical marijuana dispensary, violated a provision of ORS 475B.400 to

1 475B.525, a rule adopted under ORS 475B.400 to 475B.525 or an ordinance  
2 adopted pursuant to ORS 475B.500.

3 “(10) The authority shall adopt rules to implement this section, including  
4 rules that:

5 “(a) Require a registered medical marijuana dispensary to annually renew  
6 the registration for that dispensary;

7 “(b) Establish fees for registering, and renewing the registration of, a  
8 medical marijuana dispensary;

9 “(c) Require that each medical marijuana dispensary install and maintain  
10 a minimum security system that includes video surveillance, an alarm system  
11 and a safe;

12 “(d) Require that usable marijuana, medical cannabinoid products,  
13 cannabinoid concentrates, cannabinoid extracts and immature marijuana  
14 plants transferred by a medical marijuana dispensary be tested to ensure the  
15 public health and safety; and

16 “(e) Impose any other standard on the operation of a medical marijuana  
17 dispensary to ensure the public health and safety.

18 **“SECTION 16d. Section 16b of this 2016 Act and the amendments to**  
19 **ORS 475B.450 by section 16c of this 2016 Act become operative on**  
20 **March 1, 2016.”.**

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