

SB 863 -1, -2 STAFF MEASURE SUMMARY

Joint Committee On Marijuana Regulation

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Meeting Dates: 3/7, 3/14

WHAT THE MEASURE DOES:

Prohibits a medical marijuana dispensaries or recreational marijuana retailers from retaining a consumer's identification information for more than 48 hours. Prohibits medical marijuana dispensaries or recreational marijuana retailers from transferring a consumer's identification information unless expressly authorized by law. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Marijuana customer privacy
- Transaction tracking and tax-free purchases
- Oregon Health Authority rulemaking authority

EFFECT OF AMENDMENT:

-1 Allows medical marijuana dispensaries and recreational marijuana retailers to retain the Oregon Medical Marijuana Program (OMMP) card number and the first four letters of the customer's first name for more than 48 hours.

Fiscal: Minimal fiscal impact

Revenue: No revenue impact

-2 Replaces measure. Prohibits marijuana retailer from recording or retaining information that may be used to identify a customer. Provides exception for customers that voluntarily offer name and contact information for marketing purposes. Prohibits marijuana retailer from transferring information that may be used to identify a consumer. Requires marijuana retailer to destroy any information that may be used to identify a consumer within 30 days of the effective date. Declares emergency, effective on passage.

Fiscal: Minimal fiscal impact

Revenue: No revenue impact

BACKGROUND:

Under current Oregon law, a person buying marijuana without a medical marijuana card is required prove they are over the age of 21 by producing either a passport, driver's license, identification card, United States military identification, or any other state-issued identification card that shows a picture, name, and date of birth of a person. Nowhere within current Oregon law or administrative rule is there a requirement that this information be kept or recorded.

Senate Bill 863 would expressly prohibit the keeping this information for more than 48 hours. The measure would also prohibit a dispensary owner or retailer from transferring this information without express authorization of law.