

# Senate Bill 319

Sponsored by Senator PROZANSKI (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes local governments to allow medical marijuana dispensaries and marijuana retailers licensed by Oregon Liquor Control Commission to be located within certain distance of schools.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to cannabis; creating new provisions; amending sections 29 and 29b, chapter 83, Oregon  
3 Laws 2016; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 29, chapter 83, Oregon Laws 2016, is amended to read:

6 **Sec. 29.** (1) Notwithstanding ORS 475B.450 (3)(d), a city or county may [*adopt an ordinance al-*  
7 *lowing*] **allow** a medical marijuana dispensary to be located within [500] **1,000** feet of a public ele-  
8 mentary or secondary school for which attendance is compulsory under ORS 339.020, or a private  
9 or parochial elementary or secondary school teaching children as described in ORS 339.030 (1)(a),  
10 if:

11 **(a) The medical marijuana dispensary is not located within 500 feet of the school; and**

12 **(b)** The county or city determines that a physical or geographic barrier capable of preventing  
13 children from traversing to the [*school*] **medical marijuana dispensary** separates the medical  
14 marijuana dispensary from the school.

15 (2) A city or county that [*adopts an ordinance*] **makes an allowance** under this section must  
16 inform the Oregon Health Authority, in a form and manner prescribed by the authority, of the  
17 [*content and effective date of the ordinance*] **allowance**.

18 **SECTION 2.** Section 29b, chapter 83, Oregon Laws 2016, is amended to read:

19 **Sec. 29b.** (1) Notwithstanding ORS 475B.110 (2)(d), a city or county may [*adopt an ordinance*  
20 *allowing*] **allow** a premises for which a license has been issued under ORS 475B.110 to be located  
21 within [500] **1,000** feet of a public elementary or secondary school for which attendance is compul-  
22 sory under ORS 339.020, or a private or parochial elementary or secondary school teaching children  
23 as described in ORS 339.030 (1)(a), if:

24 **(a) The premises is not located within 500 feet of the school; and**

25 **(b)** The county or city determines that a physical or geographic barrier capable of preventing  
26 children from traversing to the [*school*] **premises** separates the premises from the school.

27 (2) A city or county that [*adopts an ordinance*] **makes an allowance** under this section must  
28 inform the Oregon Liquor Control Commission, in a form and manner prescribed by the commission,  
29 of the [*content and effective date of the ordinance*] **allowance**.

30 **SECTION 3. The amendments to sections 29 and 29b, chapter 83, Oregon Laws 2016, by**  
31 **sections 1 and 2 of this 2017 Act apply to allowances made by a city or county, for medical**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 marijuana dispensaries registered under ORS 475B.450 and premises for which a license is  
2 issued under ORS 475B.110, before, on or after the effective date of this 2017 Act.

3 SECTION 4. This 2017 Act being necessary for the immediate preservation of the public  
4 peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect  
5 on its passage.

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