



Chair Lively & Members of the House Committee on Economic Development,

Thank you for providing the opportunity to submit comments on HB 3362. The Oregon Land Title Association is the professional association for the title insurance industry in Oregon and membership is comprised of both title insurance underwriters and underwritten agent companies. It promotes and maintains the educational, ethical, professional and legislative interests of the industry. OLTA also works with regulators, legislators and the public to make the industry responsive to the evolving needs of customers.

OLTA strongly opposes HB 3362 because it will put title companies at dual risk of 1) federal sanctions if they comply with HB 3362 or 2) state sanctions if they do not comply with HB 3362.

HB 3362 will produce unfair consequences because it arises out of the marijuana contradiction. That contradiction is that marijuana is legal under state law but illegal under federal law. HB 3362 puts title companies in the middle. It will compel title companies to provide their services to marijuana businesses. That in turn will expose title companies to federal sanctions if they provide services. It will expose them to state sanctions if they do not.

Furthermore, a title company's engagement with marijuana business will invite claims by private parties whose lands may be harmed by marijuana enterprises. In addition, a title company who conducts real estate closings may put its banking relationships at risk, because federally chartered and insured banks will not serve businesses with a connection to marijuana.

In simple terms, title companies will face the possibility of state sanctions for not complying with HB 3362 or the possibility of federal sanctions for complying with HB 3362. HB 3362 unfairly places title companies in the marijuana contradiction.

We urge your opposition to HB 3362.

Thank you.

Submitted by Cleve Abbe, Chair, OLTA Legislative Committee

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