

**HB 2909 -1 STAFF MEASURE SUMMARY**  
**House Committee On Economic Development**

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**Prepared By:** Melissa Leoni, LPRO Analyst

**Meeting Dates:** 3/11, 3/13

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**WHAT THE MEASURE DOES:**

Allows licensed marijuana retailer to deliver marijuana items to consumers, pursuant to bona fide orders received by the retailer, within the same city or unincorporated area of the county in which the retailer is located, or in an adjacent city or unincorporated area of a county if allowed by that jurisdiction. Requires city or county governing body to adopt ordinance to allow delivery of marijuana items to consumers within the jurisdiction from an adjacent city or county and provide text of ordinance to the Oregon Liquor Control Commission. Sets conditions for delivery of marijuana items to consumers. Takes effect 91st day following adjournment sine die.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

-1 Requires an individual who makes deliveries on behalf of a marijuana retailer be an employee of the retailer. Allows individual to carry marijuana items that are inventory for retailer but not designated for a bona fide consumer order, and to use those marijuana items to fulfill bona fide orders received by retailer. Prohibits individual who makes deliveries on behalf of a retailer from delivering for more than one retailer at a time and making deliveries without instruction by retailer.

**BACKGROUND:**

Current statute allows licensed marijuana retailers to deliver to customers pursuant to an order placed at the retailer prior to delivery. The Oregon Liquor Control Commission (OLCC) has established rules for delivery of marijuana items by a licensed retailer (OAR 845-025-2880). Rules specify that orders must contain the requester's name, date of birth, the date delivery is requested, and address of residence for delivery; the marijuana items proposed for delivery; and statement that the marijuana is for personal use and not for resale purposes. A retailer may only deliver marijuana items between 8:00 am and 9:00 pm to a residence within the same city, if the licensee is located within a city, or within unincorporated areas of the county, if the licensee is located in an unincorporated city or area within the county. Deliveries must be made by motor vehicle and may not be made more than once a day to the same residence. OLCC rules limit a retailer to transporting no more than \$3,000 in retail value worth of marijuana items at any one time. Marijuana items must be kept in a lock-box securely affixed inside the delivery vehicle, and each delivery or series of deliveries must have appropriate documentation, including a manifest.

House Bill 2909 allows a licensed marijuana retailer to deliver marijuana items to consumers, pursuant to bona fide orders received by the retailer, within the same city or unincorporated area of the county in which the retailer is located, or in an adjacent city or unincorporated area of a county if allowed by the adjacent city or county. The measure also establishes the conditions and requirements for delivery of marijuana items to consumers.