

HB 3395 STAFF MEASURE SUMMARY

House Committee On Economic Development

Prepared By: Melissa Leoni, LPRO Analyst

Meeting Dates: 4/3, 4/8

WHAT THE MEASURE DOES:

Allows person responsible for medical marijuana grow site who is designated to produce marijuana by more than three registry identification cardholders to transfer usable marijuana to additional cardholders. Becomes operative January 1, 2020. Takes effect 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Number of plants necessary per patient to supply needs of patients and avoid diversion
- Access to patients who cannot afford a recreational store
- Water rights for medical marijuana grow sites, the application process, and small number of growers with water rights

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon voters approved Ballot Measure 67 in 1998, allowing the medical use of marijuana in Oregon within specified limits. The law provides legal protections for qualified patients (registry identification cardholders), allows a caregiver to provide assistance to a patient, and mandates an Oregon Health Authority registration system. Cardholders may grow plants for themselves, designate a grower and grow site on their behalf, or purchase marijuana items from medical marijuana dispensaries or licensed recreational retail establishments.

ORS 475B.822 allows a person responsible for a marijuana grow site to enter into an agreement with a registry identification cardholder for the cardholder to assign to the grower a portion of the right to possess the seeds, immature marijuana plants, and usable marijuana that are the property of the cardholder.

House Bill 3395 would allow a person responsible for medical marijuana grow site, designated to produce marijuana by more than three registry identification cardholders, to transfer usable marijuana to additional cardholders under an agreement described by ORS 475B.822.