

SB 1012 STAFF MEASURE SUMMARY
Senate Committee On Business and General Government

Carrier: Sen. Prozanski

Action Date: 03/28/19
Action: Do pass.
Vote: 4-0-1-0
Yeas: 4 - Dembrow, Girod, Hass, Riley
Exc: 1 - Olsen
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Tyler Larson, LPRO Analyst
Meeting Dates: 3/28

WHAT THE MEASURE DOES:

Clarifies that applicant for recreational marijuana grow site license is not required to demonstrate continuous registration of marijuana grow site to qualify for exemption from land use compatibility requirement. Applies clarification to license applications received before, on, or after effective date. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Current Oregon Liquor Control Commission interpretation of land use compatibility exemption for medical marijuana grow site registered before January 1, 2015
- Pending litigation to determine whether or not land use compatibility exemption requires medical marijuana grow site to be continually registered since before January 1, 2015

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Current statute allows local government to adopt reasonable time, place, and manner regulations for the operation of licensed recreational marijuana businesses. Applicants for a recreational marijuana grow site license must receive an approved land use compatibility statement from local government. Applicants are exempt from the land use compatibility requirement if the site does not exceed a prescribed size, is located outside of city limits, and was registered as a medical grow site before January 1, 2015.

Senate Bill 1012 clarifies that a recreational grow site applicant is not required to demonstrate continuous registration as a grow site to qualify to the exemption from the land use compatibility requirement. The measure applies to applications received before, on, or after the effective date.