

**SB 1012 STAFF MEASURE SUMMARY**  
**House Committee On Agriculture and Land Use**

**Carrier:** Rep. Helm

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**Action Date:** 05/02/19

**Action:** Do Pass.

**Vote:** 7-0-0-0

**Yeas:** 7 - Boshart Davis, Clem, Helm, McLain, Post, Smith DB, Williams

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Laura Kentnesse, LPRO Analyst

**Meeting Dates:** 4/25, 5/2

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**WHAT THE MEASURE DOES:**

Specifies that an applicant for a recreational marijuana grow site license is not required to demonstrate continuous registration of their marijuana grow site to qualify for an exemption from the land use compatibility statement (LUCS) requirement. The measure applies to license applications received before, on, or after the effective date. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

- Review of legislative history and intent regarding the LUCS exemption
- Oregon Liquor Control Commission interpretation of the LUCS exemption
- Description of a grower case where the license lapsed for five months between January 1, 2015 and the submission date of the application for conversion from a medical to a recreational license
- Pending litigation to determine whether or not a LUCS exemption requires a medical marijuana grow site to be continuously registered from January 1, 2015 to the application submission date

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Current statute allows local governments 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 (LUCS) from local government. Applicants are exempt from the LUCS 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 would specify that a recreational grow site applicant is not required to demonstrate continuous registration as a grow site to qualify for the LUCS exemption. The measure applies to applications received before, on, or after the effective date.