

Enrolled
Senate Bill 1012

Sponsored by COMMITTEE ON JUDICIARY (at the request of Randy Bisenz)

CHAPTER

AN ACT

Relating to land use requirements for marijuana production; creating new provisions; amending ORS 475B.074; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 475B.074 is amended to read:

475B.074. (1) The requirement under ORS 475B.063 to obtain a land use compatibility statement as a condition of receiving a license under ORS 475B.070 does not apply to an applicant if:

[(1)] (a) The applicant is applying for a license at an address where a marijuana grow site registered under ORS 475B.810 is located;

[(2)] (b) The address is outside of city limits;

[(3)] (c) At least one person responsible for a marijuana grow site located at the address first registered with the Oregon Health Authority under ORS 475B.810 before January 1, 2015, **and is registered with the authority under ORS 475B.810 on the date on which the applicant submitted the application for a license under ORS 475B.070;**

[(4)] (d) Each person responsible for a marijuana grow site located at the address first registered with the [Oregon Health] authority under ORS 475B.810 before February 1, 2016, **and is registered with the authority under ORS 475B.810 on the date on which the applicant submitted the application for a license under ORS 475B.070;** and

[(5)] (e) The applicant is applying for a mature marijuana plant grow canopy of:

[(a)] (A) 5,000 square feet or less, if the marijuana is produced outdoors; or

[(b)] (B) 1,250 square feet or less, if the marijuana is produced indoors.

(2) **For purposes of this section, an applicant for a license under ORS 475B.070 is not required to demonstrate that:**

(a) **At least one person responsible for a marijuana grow site located at the address for which the applicant is applying for a license has been continuously registered with the authority under ORS 475B.810 between January 1, 2015, and the date on which the applicant applies for a license under ORS 475B.070; or**

(b) **Each person responsible for a marijuana grow site located at the address for which the applicant is applying for a license has been continuously registered with the authority under ORS 475B.810 between February 1, 2016, and the date on which the applicant applies for a license under ORS 475B.070.**

SECTION 2. The amendments to ORS 475B.074 by section 1 of this 2019 Act apply to applications for licenses under ORS 475B.070 submitted before, on or after the effective date of this 2019 Act.

SECTION 3. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Passed by Senate April 2, 2019

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 22, 2019

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Tina Kotek, Speaker of House

Received by Governor:

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Approved:

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State