

Senate Bill 1012

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

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Clarifies that, to qualify for exemption from land use compatibility statement, applicant for marijuana production license is not required to demonstrate continuous registration of marijuana grow site prior to date of application for licensure.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to land use requirements for marijuana production; creating new provisions; amending ORS
3 475B.074; and declaring an emergency.

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

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

6 475B.074. (1) The requirement under ORS 475B.063 to obtain a land use compatibility statement
7 as a condition of receiving a license under ORS 475B.070 does not apply to an applicant if:

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

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

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

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

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

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

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

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

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

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

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 for a license under ORS 475B.070.

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

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

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