

Senate Bill 585

Sponsored by Senator PROZANSKI (at the request of Andy Shelley) (Pre-session filed.)

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**.

Directs Oregon Liquor Control Commission to establish Responsible Cannabis Retailer Program to assist marijuana retailers in maintaining compliance with cannabis laws and rules. Prohibits commission from imposing discipline on marijuana retailer that participates in program.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to Responsible Cannabis Retailer Program; creating new provisions; amending ORS
3 475B.256; and prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 475B.010 to**
6 **475B.545.**

7 **SECTION 2. (1) The Oregon Liquor Control Commission shall establish by rule a Cannabis**
8 **Responsible Retailer Program. The program must include a list of positive measures that a**
9 **marijuana retailer that holds a license issued under ORS 475B.105 must take in order to re-**
10 **main in compliance with the provisions of ORS 475B.010 to 475B.545 and rules adopted under**
11 **ORS 475B.010 to 475B.545. Any marijuana retailer that holds a license issued under ORS**
12 **475B.105 may participate in the program.**

13 **(2) If a marijuana retailer that holds a license issued under ORS 475B.105 participates in**
14 **the program described in subsection (1) of this section, and takes all necessary measures**
15 **specified by the program to ensure compliance with the provisions of ORS 475B.010 to**
16 **475B.545 and rules adopted under ORS 475B.010 to 475B.545, the commission may not revoke,**
17 **suspend or deny issuance of a license under ORS 475B.105 based on the marijuana retailer's**
18 **noncompliance with ORS 475B.010 to 475B.545 or rules adopted under ORS 475B.010 to**
19 **475B.545.**

20 **(3) The commission may adopt rules to carry out this section.**

21 **SECTION 3. ORS 475B.256 is amended to read:**

22 **475B.256. Except as provided in section 2 of this 2019 Act, the Oregon Liquor Control Com-**
23 **mission may revoke, suspend or restrict a license issued under ORS 475B.010 to 475B.545 or require**
24 **a licensee or licensee representative to undergo training if the commission finds or has reasonable**
25 **ground to believe any of the following to be true:**

26 **(1) That the licensee or licensee representative:**

27 **(a) Has violated a provision of ORS 475B.010 to 475B.545 or a rule adopted under ORS 475B.010**
28 **to 475B.545.**

29 **(b) Has made any false representation or statement to the commission in order to induce or**
30 **prevent action by the commission.**

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 (c) Is insolvent or incompetent or physically unable to carry on the management of the estab-
2 lishment of the licensee.

3 (d) Is in the habit of using alcoholic liquor, habit-forming drugs, marijuana or controlled sub-
4 stances to excess.

5 (e) Has misrepresented to a customer or the public any marijuana items sold by the licensee or
6 licensee representative.

7 (f) Since the issuance of the license, has been convicted of a felony, of violating any of the
8 marijuana laws of this state, general or local, or of any misdemeanor or violation of any municipal
9 ordinance committed on the premises for which the license has been issued.

10 (2) That there is any other reason that, in the opinion of the commission, based on public con-
11 venience or necessity, warrants revoking, suspending or restricting the license.

12 **SECTION 4. (1) Section 2 of this 2019 Act and the amendments to ORS 475B.256 by sec-**
13 **tion 3 of this 2019 Act become operative on January 1, 2020.**

14 **(2) The Oregon Liquor Control Commission may take any action before the operative date**
15 **specified in subsection (1) of this section that is necessary to enable the commission to ex-**
16 **ercise, on and after the operative date specified in subsection (1) of this section, all of the**
17 **duties, functions and powers conferred on the commission by section 2 of this 2019 Act and**
18 **the amendments to ORS 475B.256 by section 3 of this 2019 Act.**

19 **SECTION 5. This 2019 Act takes effect on the 91st day after the date on which the 2019**
20 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

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