

SB 1561 -1, -2, -4, -5, -7, -8, -11 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Michael Lantz, Counsel

Meeting Dates: 2/11, 2/12

WHAT THE MEASURE DOES:

Directs Oregon State Department of Agriculture (ODA) to develop Oregon Hemp Plan and establish Oregon Hemp Program. Specifies charges of unlawful delivery and unlawful possession of marijuana originating from same incident will merge into single conviction. Allows for importation and exportation of hemp as allowed by statute or ODA rule. Requires Oregon Cannabis Commission to determine possible framework for future governance of Oregon Medical Marijuana Program. Authorizes additional medical professionals to diagnose patient for purposes of receiving registry identification card. Directs Oregon Liquor Control Commission (OLCC) to establish process to register marijuana grow sites and specifies application deadlines. Adds conforming amendments.

ISSUES DISCUSSED:

- Role of medical professionals
- Need to regulate hemp
- Content of amendments

EFFECT OF AMENDMENT:

- 1 Requires Oregon Liquor Control Commission to assess financial impact of the cannabis tracking system on licensees and make recommendations for improvements and cost savings.
- 2 Directs Oregon Liquor Control Commission to develop compliance education programs for licensees and other entities.
- 4 Removes attending physicians as category of caregivers that will be regulated by Oregon Medical Marijuana Program under the Oregon Cannabis Commission.
- 5 Adds Oregon Board of Naturopathic Medicine and the Oregon State Board of Nursing to list of medical organizations that may not impose a civil penalty to take other disciplinary action against a provider for advising an individual about the risks and benefits of marijuana or providing that individual with the documentation necessary to access a registry identification card.
- 7 Allows grower or handler to sell or transfer hemp flowers and other cuttings so long as those cuttings are not intended for consumption. Exempts such cuttings from testing. Directs Oregon Department of Agriculture to adopt implementing rules.
- 8 Replaces measure. Requires Oregon Department of Agriculture (ODA) to administer state program for the production, processing, and sale of hemp. Directs rulemaking and sets standards for licensees. Specifies charges of unlawful delivery and unlawful possession of marijuana originating from same incident will merge into single conviction. Authorizes the importation and exportation of hemp as allowed by statute or ODA rule. Allows additional medical professionals to diagnose patient for purposes of receiving registry identification card. Requires Oregon Cannabis Commission to collaborate with Oregon Health Authority (OHA) and Oregon Liquor Control Commission (OLCC) on the administration of medical and recreation marijuana programs. Exempts certain medical marijuana grow sites from OHA and OLCC tracking requirements and associated fees. Adds conforming amendments. Takes effect 91 day after adjournment sine die.

-11 Replaces measure. Requires Oregon Department of Agriculture (ODA) to administer state program for the production, processing, and sale of hemp. Directs rulemaking and sets standards for licensees. Specifies charges of unlawful delivery and unlawful possession of marijuana originating from same incident will merge into single conviction. Authorizes the importation and exportation of hemp as allowed by statute or ODA rule. Allows additional medical professionals to certify patients for purpose of receiving registry identification card. Requires Oregon Cannabis Commission to collaborate with Oregon Health Authority (OHA) and Oregon Liquor Control Commission (OLCC) on the administration of medical and recreation marijuana programs. Requires OLCC to assess financial impact of the cannabis tracking system on licensees and make recommendations for improvements and cost savings. Directs OLCC to develop compliance education programs for licensees and other entities. Adds conforming amendments. Takes effect 91 days after adjournment sine die.

BACKGROUND:

In 1998, Oregon voters passed Ballot Measure 67, which authorized the use of marijuana for medical purposes. In 2014, Oregon voters passed Ballot Measure 91, which allowed for the creation of a recreational marijuana market. Under BM 91 and subsequent legislation passed by the Legislative Assembly, members of the public are allowed to grow, sell, and consume marijuana subject to certain conditions, without having to show a medical need. Additionally, starting in 2009, Oregon has allowed for the possession and production of hemp. In 2018, Congress passed the Hemp Farming Act, which allows for the transportation of hemp across states lines subject to certain requirements.

Senate Bill 1561 makes changes to the legal and regulatory framework for marijuana and hemp in Oregon.