

SB 1561 A STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Action Date: 02/13/20

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 7-0-0-0

Yeas: 7 - Dembrow, Gelser, Linthicum, Manning Jr, Olsen, Prozanski, Thatcher

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Michael Lantz, Counsel

Meeting Dates: 2/11, 2/12, 2/13

WHAT THE MEASURE DOES:

Requires Oregon Department of Agriculture (ODA) to administer state program for the production, processing, and sale of hemp in compliance with recent changes to federal law. Directs rulemaking, sets standards for licensees, and requires background checks on license applicants. Specifies that charges of unlawful delivery of marijuana and unlawful possession of marijuana originating from same incident will merge into a single conviction. Authorizes the importation and exportation of hemp as allowed by statute or ODA rule. Allows medical professionals able to prescribe controlled substances to certify patients for purpose of receiving medical marijuana registry identification card. Requires Oregon Cannabis Commission (OCC) to collaborate with Oregon Health Authority (OHA) and Oregon Liquor Control Commission (OLCC) on the administration of medical and recreational 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 91st day following adjournment sine die.

ISSUES DISCUSSED:

- State hemp regulations must comply with federal law
- Ability of medical professional to certify medical marijuana applications
- Content of amendments

EFFECT OF AMENDMENT:

Replaces measure.

BACKGROUND:

In 1998, Oregon voters passed Ballot Measure 67, which authorized the use of marijuana for medical purposes. Oregon voters then passed Ballot Measure 91 in 2014, which allowed for the creation of a recreational marijuana market. Under BM 91 and subsequent legislation, 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 as part of that year's farm bill, which allows for the transportation of hemp across state lines subject to certain requirements.

Senate Bill 1561-A authorizes the Oregon Department of Agriculture to implement a Hemp State Program, modifies criminal statutes related to marijuana, requires collaboration between the Oregon Cannabis Commission and other state agencies, and requires the Oregon Liquor Control Commission to develop educational programs for licensees and assess the costs of tracking to those licensees.