

# CANNABIS REGULATION

# 2021 LEGISLATIVE BILLS



# Background and Purpose For: House Bill 3000

## BACKGROUND

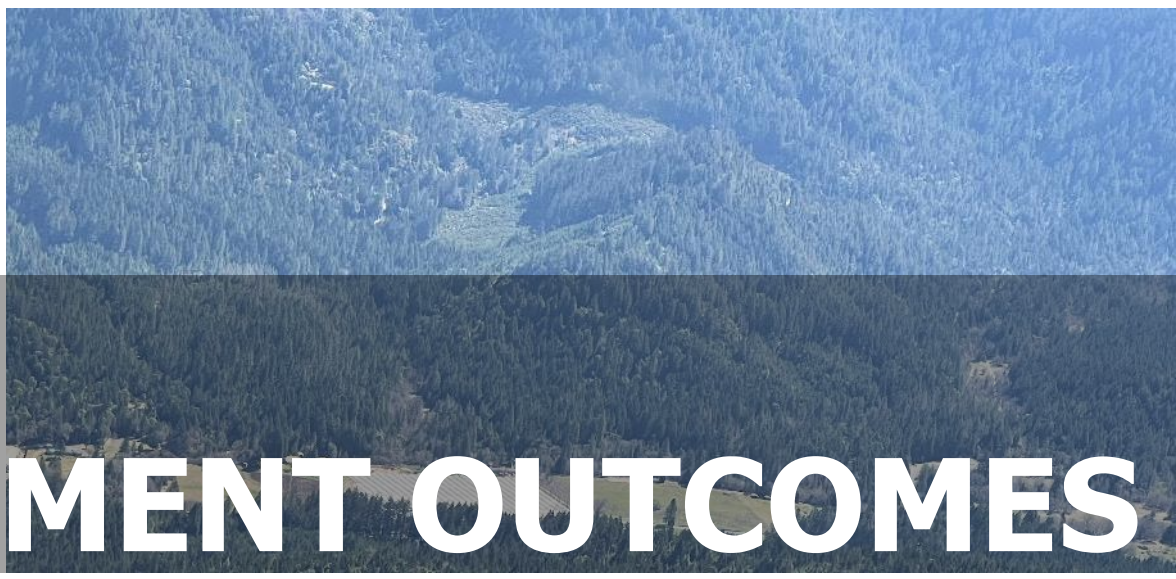
- The issue is not unique to Oregon due to lack of federal clarity on legality of Delta-8 and other THC isomers. This has led many states to pass legislation that would close regulatory loopholes to protect consumer health and safety.
- The 2018 Federal Farm Bill legalizing the production hemp did not contemplate intoxicating hemp products entering the general marketplace. This has lead 18 states to regulate or ban the delta-8 THC.
- Under the Farm Bill, ODA needs to have a state hemp plan approved by USDA to have authority for criminal records checks, and allowing license denials based on an applicant's criminal record.

# HB 3000: new rules - Immediate implementation of emergency rules

1. Under the new law a business that wants to sell a consumable hemp item to a minor must determine the milligrams of total THC in the product prior to sale, not just the percentage of THC it contains. A hemp item is required to have less than 0.5 milligrams (weight) of Total THC to be sold to a minor.
2. Directs OLCC to establish a methodology for presumptively distinguishing between hemp and marijuana. If ODA finds a hemp licensee is producing marijuana, they may order it be destroyed.







# HB 3000 ENFORCEMENT OUTCOMES



# CANNABIS in Oregon: The Regulators

## Adult Use - Medical - Hemp

Oregon Liquor and Cannabis Commission (OLCC): Licensing and regulation of adult use marijuana businesses and worker permits.

Oregon Health Authority (OHA): Medical marijuana activities/businesses, testing standards and requirements.

Oregon Department of Agriculture (ODA): Commercial kitchens, scale certification, certain food handling activities, pesticides and industrial hemp;

Federal, State, Local Law Enforcement: Responsible for enforcement of all unlicensed and illegal cannabis; assist state agencies and district attorneys' offices in their efforts to address the illegal cannabis.

Home Grown: Allows for four personal cannabis grow on private property.



# HB 3000 immediate outcomes: Interagency coordination

- ▶ Developed and IAA and SOP's with ODA for enforcement work.
- ▶ Working with ODA, BOLI, OSHA, OWRD, Code enforcement and counties to gather information about complaints received for registered grows.
- ▶ Coordinating agencies and law enforcement to determine types of grows.
- ▶ Developed IAA with law enforcement to assure protection on site visits.
- ▶ Purchased field testing units to allow regulatory specialists to test if a plant is marijuana or hemp during inspections of registered hemp grows.
- ▶ Adjusted staffing statewide to allow for more personnel in the Southern Oregon region from June - August 2021.

# HB 3000: Field operations Enforcement Outcomes

- ▶ OLCC and ODA visited 316 registered hemp grow sites in Jackson and Josephine County.
- ▶ Samples were collected in the fields and tested to determine if the plant was marijuana or hemp.
- ▶ Emergency rules set the limit of THC that would qualify as marijuana at 5% THC, which is a much larger amount of THC than is allowed by federal law .3%THC.
- ▶ As of Thursday September 16, 2021, 114 (54%) sites tested positive for the presence of marijuana.

	July 28	Aug 12	Sept 16
<b>Positive Tests</b>	13	69	114
<b>Negative Tests</b>	18	78	98
<b>No test results*</b>	34	137	104
<b>Denied Entry</b>	13	47	16
<b>No Contact</b>	8	16	9
<b>Not Growing (some locations show evidence of plants recently being moved/harvested)</b>	13	43	59
<b>Awaiting Test Results</b>	0	31	20
<b>Locations Visited</b>	65	284	316

# HB 3000: next steps establishing a task force

- ▶ Establishing the bipartisan and bicameral Task Force including representation from cities, counties, law enforcement, hemp growers, hemp handlers, marijuana licensees, OSU's Global Hemp Innovation Center, ODA, OHA, and OLCC.
  - ▶ Changes to support the regulation of intoxicating cannabis-derived products.
  - ▶ The consolidation of administrative functions related to the regulation of cannabis.
  - ▶ Methods to prevent sales of intoxicating cannabinoids to minors.
  - ▶ Regulation to address genetic engineering of cannabis.
  - ▶ Testing requirements and methods of enforcement of testing requirements for cannabinoids, to protect the public health and safety.
  - ▶ Policy changes related to interstate commerce and transportation of cannabis
  - ▶ Changes to state regulation of cannabis as a result of federal law.



# Hoop Houses



# Water Regulation



# HB 3000 Related Articles: human trafficking, water theft and other atrocities

- ▶ [Illegal Oregon marijuana farms take West's water in 'blatant theft', Andrew Selsky Associated Press](#)
- ▶ [Report: Southern Oregon Hemp Testing Reveals Large Amounts Of Illicit Marijuana](#)
- ▶ [Southern Oregon investigators suspect human trafficking, forced labor at cannabis farm](#)
- ▶ [Man's Death Precipitated Raid On Massive Josephine County Marijuana Grow](#)
- ▶ [Task Force Raids Black-Market Marijuana Grows Back-to-Back; Finds \\$643k, 20k plants, 15k lbs. Processed Illegal Marijuana](#)
- ▶ [Klamath County Sheriff's Deputies Bust Another 'Hemp' Grow, Destroying 11,000 Plants](#)
- ▶ [Cops: 14 arrested, 1,400 pounds of pot seized at illegal Oregon marijuana grow operations](#)
- ▶ [Illegal pot fuels 'narco-slavery' in Rogue Valley](#)



# OLCC'S MISSION

Support businesses, public safety,  
and community livability  
through education and the enforcement  
of liquor and marijuana laws.

