



MEMORANDUM

Prepared for: Representative Marty Wilde
 Date: March 10, 2021
 By: Caine Francis, LPRO Analyst
 Re: Medical Marijuana Measures

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

This memo responds to your request for a comparison of two measures relating to the Oregon Medical Marijuana Program (OMMP) currently in the House Committee on General Government.

SUMMARY

House Bill 3197 and House Bill 2265 -1 both change regulatory oversight of the OMMP. Table 1 lists these changes as compared to current regulations on medical and recreational marijuana in the state.

Table 1: OMMP Regulatory Frameworks

Topic	Current Law	HB 3197	HB 2265 -1
OMMP card administration and fees	OHA ⁱ	OHA	OHA
Cardholder eligibility	OHA ⁱⁱ	OHA	OHA
Medical marijuana grow site registration and fees	OHA ⁱⁱⁱ	OHA until June 1, 2022 OLCC	OHA until June 1, 2022 OLCC
Marijuana plant possession limits	Medical: 6 mature, 12 immature per cardholder ^{iv}	Medical (residential): 12 mature plants 24 immature plants	Medical (residential): 12 mature plants 24 immature plants
	Recreational: 4 per household ^v	Medical (non-residential): 48 mature plants 96 immature plants	Medical (non-residential): 48 mature plants 96 immature plants
Plant tracking by type and quantity	OHA: more than 12 plants (medical) ^{vi}	OLCC	OLCC

Topic	Current Law	HB 3197	HB 2265 -1
	OLCC (medical): ^{vii} growing for more than 3 patients OLCC (recreational): all licensees		
Marijuana grow site enforcement	OLCC ^{viii}	OHA until June 1, 2022	OHA until June 1, 2022
		OLCC	OLCC
Administration of grow site violations or civil penalties	OHA: medical ^{ix}	OLCC	OLCC
	OLCC: recreational ^x		
Potency and concentration limits	Medical: allows for enhanced limits, by OHA rule ^{xi}	No Change	No Change
Possession limits of prepared marijuana	Medical: 24 oz ^{xii}	No Change	No Change
	Recreational: 8 oz ^{xiii} 1 oz public ^{xiv}		
Medical marijuana dispensary oversight	OHA	OHA until June 1, 2022	OHA until June 1, 2022
		OLCC	OLCC
Marijuana processor oversight	OHA: medical	OHA until June 1, 2022	OHA until June 1, 2022
	OLCC: recreational	OLCC	OLCC
Taxes paid by consumers on purchases	Medical: no ^{xv} Recreational: yes ^{xvi}	No Change	No Change
Endorsement required for cardholder eligibility	Physician only ^{xvii}	No Change	No Change
Ability of medical marijuana growers to sell excess product recreationally	Max. 20 lbs ^{xviii}	No Change	No Change
Maximum number of medical marijuana cardholders served by single grow site	8 ^{xix}	2	2

ⁱ [ORS 475B.797 \(2019\)](#)

ⁱⁱ [Id.](#)

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- iii [ORS 475B.810 \(2019\)](#)
 - iv [ORS 475B.831 \(2019\)](#)
 - v [ORS 475B.301 \(2019\)](#)
 - vi <https://www.oregon.gov/oha/PH/DISEASES/CONDITIONS/CHRONICDISEASE/MEDICALMARIJUANAPROGRAM/Pages/growers.aspx>
 - vii https://www.oregon.gov/olcc/Pages/ommp_tracking.aspx
 - viii [ORS 475B.070 \(2019\)](#)
 - ix [ORS 475B.925 \(2019\)](#)
 - x [ORS 475B.416 \(2019\)](#)
 - xi [ORS 475B.625 \(2019\)](#)
 - xii [ORS 475B.834 \(2019\)](#)
 - xiii [ORS 475B.301 \(2019\)](#)
 - xiv [ORS 475B.337 \(2019\)](#)
 - xv [ORS 475B.707 \(2019\)](#)
 - xvi [ORS 475B.705 \(2019\)](#)
 - xvii [ORS 475B.797 \(2019\)](#)
 - xviii [ORS 475B.825 \(2019\)](#)
 - xix [ORS 475B.831 \(2\)\(a\) \(2019\)](#)