

**A-Engrossed**  
**Senate Bill 808**

Ordered by the Senate April 29  
Including Senate Amendments dated April 29

Sponsored by COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION

**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.

*[Directs Oregon Liquor Control Commission to study cannabis. Requires report to interim committee of Legislative Assembly related to judiciary.]*

*[Sunsets January 2, 2022.]*

**Includes in definition of "peace officer" regulatory specialist exercising authority of Oregon Liquor Control Commission related to marijuana.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

Relating to cannabis; amending ORS 133.005; and declaring an emergency.

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

**SECTION 1.** ORS 133.005 is amended to read:

133.005. As used in ORS 133.005 to 133.400 and 133.410 to 133.450, unless the context requires otherwise:

(1) "Arrest" means to place a person under actual or constructive restraint or to take a person into custody for the purpose of charging that person with an offense. A "stop" as authorized under ORS 131.605 to 131.625 is not an arrest.

(2) "Federal officer" means a special agent or law enforcement officer employed by a federal agency who is empowered to effect an arrest with or without a warrant for violations of the United States Code and who is authorized to carry firearms in the performance of duty.

(3) "Peace officer" means:

(a) A member of the Oregon State Police;

(b) A sheriff, constable, marshal, municipal police officer or reserve officer or a police officer commissioned by a university under ORS 352.121 or 353.125;

(c) An investigator of a district attorney's office if the investigator is or has been certified as a peace officer in this or any other state;

(d) An investigator of the Criminal Justice Division of the Department of Justice of the State of Oregon;

(e) A humane special agent as defined in ORS 181A.345;

(f) A regulatory specialist exercising authority described in ORS 471.775 (2), **475B.025** or **475B.299**;

(g) An authorized tribal police officer as defined in ORS 181A.680; or

(h) A judicial marshal appointed under ORS 1.177 who is trained pursuant to ORS 181A.540.

(4) "Reserve officer" means an officer or member of a law enforcement agency who is:

**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 (a) A volunteer or employed less than full-time as a peace officer commissioned by a city, port,  
2 school district, mass transit district, county, county service district authorized to provide law  
3 enforcement services under ORS 451.010, the Criminal Justice Division of the Department of Justice,  
4 the Oregon State Lottery Commission or the Governor or a member of the Department of State  
5 Police;

6 (b) Armed with a firearm; and

7 (c) Responsible for enforcing the criminal laws and traffic laws of this state or laws or ordi-  
8 nances relating to airport security.

9 **SECTION 2. This 2021 Act being necessary for the immediate preservation of the public**  
10 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**  
11 **on its passage.**

12 \_\_\_\_\_