

INDUSTRIAL HEMP, CANNABIS REGULATION AND INTERAGENCY COLLABORATION

SENATE INTERIM COMMITTEE ON JUDICIARY

Wednesday, September 27, 2023

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Oregon Liquor and Cannabis Commission (OLCC)



BACKGROUND ON HB 3000

- HB 3000 created the Task Force Members on Cannabis-Derived Intoxicants and Illegal Cannabis Production (TF) and was later expanded by SB 1564 (2022), to consider changes to address the proliferation of organized crime and human trafficking in the illicit market.
- Directed the OLCC to consult with the OHA and ODA to adopt rules establishing a maximum concentration level for artificially derived cannabinoids products.
- Funding was provided to help develop new rules, labeling and testing requirements for artificially derived cannabinoids. On December 28, 2021, the OLCC adopted new rules and labeling requirements for any products containing artificially derived cannabinoids.
- HB 3000 collaborative interagency operations began in locations close to Medford that required no law enforcement assistance and where registrants had a good record of compliance.
- Results showed a mixture of hemp and marijuana. Over time, the results trended toward marijuana only as staff moved further into the County and visiting registrants who have a compliance record.
- Jackson/Josephine/ County Sheriff's Department accompanied OLCC/ODA during visits.

INTERAGENCY PROVISIONS: §§ 40 AND 41A - 44 OF HB 3000 (2021)

- §40- The Commission shall, with the assistance of the ODA to create and continually update a map of the locations of industrial hemp operations, make the map available to law enforcement agencies and public employees and official who are responsible for the enforcement of state and local laws regulating industrial hemp or marijuana.
- §41a. The Commission, in consultation with the ODA, shall develop by rule a methodology to distinguish whether a cannabis plant is marijuana or industrial hemp for purposes of §§ 40 to 44.
- **§42. ODA may enter into an interagency agreement with the Commission to allow representatives of the commission to carry out inspections of industrial hemp crops (2) The department and the commission may adopt rules to carry out this section.**
- §43. Pursuant to rules adopted by ODA under subsection (2) of this section: (a) Law enforcement officers may accompany the department to an industrial hemp operation for the purposes of providing protection for the department's representatives.
- §44. The Governor may order that the Oregon National Guard aid and support to the State Department of Agriculture and law enforcement in carrying out inspections of industrial hemp crops.

HB 3000 TASK FORCE

2023 LEGISLATIVE FIXES

The 2023 session saw the adoption of legislation based on the Task Force task force recommendations for consumer protections, funding, and tools for law enforcement to combat the illicit market.

- [HB 2931](#) established a state reference laboratory to support enforcement of cannabis regulation for the OLCC licensee within the Department of Agriculture's new lab facility.
- [SB 326](#) is the omnibus law enforcement for cleanup and nuisance abatement; water use prohibition; mobile tracking devices, pen registers, and wires; and enhanced penalties for aggravated DTO grows.
- [SB 1052](#) DOJ Task Force recommendations expanding Oregon laws by updating labor trafficking law to include as a form of human trafficking.
- [SB 954](#) permits a circuit judge to authorize and have oversight over execution of search warrant outside judicial district for deconfliction when carried on in multiple counties or jurisdiction.



NEED FOR CONTINUED REGULATORY INTERAGENCY PARTNERSHIP

- The TF revisited the need for a cannabis reference lab and asked that cannabis items for human consumption to be regulated in a way that is not appealing to minors.
- Despite the advancements during session, local enforcement reported increases in unlawful manufacturing and possession of marijuana, misappropriation of water, and migrant workers who appeared to be victims of human trafficking.
- While [SB 326](#) preserves the general illicit cannabis grow prohibition that will otherwise sunset However, sections 40 and 41a to 44, **are repealed on January 1, 2024.**
- Removing the sunset will allow our agencies to minimize any potential risk of the proliferation illicit cannabis/hemp grows, organized crime and human trafficking related to the illicit marijuana market.



OLCC'S MISSION

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

