

# DRAFT

## SUMMARY

Digest: The Act says that cannabis edibles have to be in single unit packages and says how strong one edible can be. The Act also tells OLCC to make sure that cannabis items include some health information for the buyer. (Flesch Readability Score: 61.2).

Requires cannabinoid edibles to be individually packaged and allows up to 10 milligrams of adult use cannabinoid per individual cannabinoid edible. Requires cannabinoid edibles and other cannabinoid products to be packaged in a manner that is tailored judiciously to the specific purpose of protecting minors from the negative health effects of unlawfully using cannabinoids edibles and other cannabinoid products. Allows local governments to establish buffer zones of more than 1,000 feet around adult use cannabis and medical marijuana operations in the interest of public health and safety. Becomes operative January 1, 2027.

Requires the Oregon Liquor and Cannabis Commission to adopt rules to require that marijuana items and inhalant delivery systems that contain industrial hemp-derived cannabinoids bear a label, or include an insert, describing certain risks of using marijuana items and inhalant delivery systems that contain industrial hemp-derived cannabinoids. Becomes operative July 1, 2027.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to marijuana; creating new provisions; amending ORS 475C.017, 475C.449, 475C.604, 475C.612, 475C.620 and 475C.897; and prescribing an effective date.

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

**SECTION 1. Sections 2 and 3 of this 2026 Act are added to and made a part of ORS 475C.600 to 475C.648.**

**SECTION 2. (1) In addition to the rules adopted under ORS 475C.604,**

1 the Oregon Liquor and Cannabis Commission shall adopt rules to re-  
2 quire that marijuana items and inhalant delivery systems that contain  
3 industrial hemp-derived vapor items bear a label with the information  
4 described in subsection (2) of this section.

5 (2) The label required under subsection (1) of this section must in-  
6 clude the following information printed in at least a 12-point font size:

7 (a) A recommendation that new consumers begin with lower doses  
8 of cannabinoids;

9 (b) That care should be taken for the delayed onset of cannabinoid  
10 edibles, including a warning that it can take up to four hours to feel  
11 the full effects from consuming cannabinoid edibles and that con-  
12 suming more within the four hours may result in more adverse effects  
13 that may require medical attention;

14 (c) The dangers of purchasing illegal marijuana items or inhalant  
15 delivery systems that contain industrial hemp-derived vapor items,  
16 including the increased risk that such products are untested and may  
17 contain unsafe additives or harmful contaminants such as mold or  
18 pesticides;

19 (d) Warnings against consuming or inhaling cannabinoids while  
20 pregnant or breastfeeding and that exposure to cannabis may harm  
21 the health of the fetus, including by causing low birth weight;

22 (e) The potential for cannabis use to contribute to mental health  
23 problems, including psychotic disorders such as schizophrenia, and  
24 increased suicide attempts and thoughts of suicide, and that these  
25 risks are greatest for frequent users and when using marijuana items  
26 or inhalant delivery systems containing industrial hemp-derived vapor  
27 items with higher levels of tetrahydrocannabinol;

28 (f) The link between higher tetrahydrocannabinol content and the  
29 likelihood of experiencing adverse effects and impairment, including  
30 severe anxiety and the disruption of memory and concentration;

31 (g) Cautions that driving while under the influence of cannabinoids

1 is unlawful and that the use of cannabinoids when driving increases  
2 the risk of motor vehicle crashes;

3 (h) Evidence that starting cannabis use at a young age, or using  
4 cannabis frequently, may lead to problem use and may harm the de-  
5 veloping brain; and

6 (i) That inhaling cannabis may make breathing problems worse and  
7 that prolonged use of cannabis inhalants may cause recurrent and se-  
8 vere nausea and vomiting.

9 (3) If the package of a marijuana item or inhalant delivery system  
10 that contains an industrial hemp-derived vapor item is too small to  
11 bear a label described in subsection (2) of this section, the marijuana  
12 item or inhalant delivery system that contains an industrial hemp-  
13 derived vapor item must include a pamphlet or insert that bears the  
14 information described in subsection (2) of this section. A marijuana  
15 retailer licensed under ORS 475C.097 shall ensure that each consumer  
16 who purchases a marijuana item or inhalant delivery system that  
17 contains industrial hemp-derived cannabinoids described in this sub-  
18 section receives the pamphlet or insert described in this subsection.

19 (4) Once every five years, the commission shall, in consultation  
20 with the Oregon Health Authority, evaluate the requirements adopted  
21 by the commission by rule under this section and may as necessary  
22 revise the requirements to ensure the requirements reflect the current  
23 state of the evolving science on the health effects of cannabis and on  
24 effective communication of health warnings.

25 (5) The commission may adopt rules as necessary to carry out this  
26 section.

27 SECTION 3. Usable marijuana, including usable marijuana that is  
28 prerolled, may not include by infusion or other method cannabinoids  
29 in addition to those cannabinoids naturally occurring in the usable  
30 marijuana.

31 SECTION 4. ORS 475C.017 is amended to read:

475C.017. (1) The Oregon Liquor and Cannabis Commission has the duties, functions and powers specified in ORS 475C.005 to 475C.525 and 475C.540 to 475C.586 and the powers necessary or proper to enable the commission to carry out the commission's duties, functions and powers under ORS 475C.005 to 475C.525 and 475C.540 to 475C.586. The jurisdiction, supervision, duties, functions and powers of the commission extend to any person that produces, processes, transports, delivers, sells, purchases or tests a marijuana item in this state. The commission may sue and be sued.

(2) The duties, functions and powers of the commission specified in ORS 475C.005 to 475C.525 and 475C.540 to 475C.586 include the following:

(a) To regulate the production, processing, transportation, delivery, sale, purchase and testing of marijuana items in accordance with the provisions of ORS 475C.005 to 475C.525 and 475C.540 to 475C.586.

(b) To issue, renew, suspend, revoke or refuse to issue or renew licenses for the production, processing, sale or testing of marijuana items, or other licenses related to the consumption of marijuana items, and to permit, in the commission's discretion, the transfer of a license between persons.

(c) To adopt, amend or repeal rules as necessary to carry out the intent and provisions of ORS 475C.005 to 475C.525 and 475C.540 to 475C.586, including rules that the commission considers necessary to protect the public health and safety.

(d) To exercise all powers incidental, convenient or necessary to enable the commission to administer or carry out the provisions of ORS 475C.005 to 475C.525 and 475C.540 to 475C.586 or any other law of this state that charges the commission with a duty, function or power related to marijuana. Powers described in this paragraph include, but are not limited to:

- (A) Issuing subpoenas;
- (B) Compelling the attendance of witnesses;
- (C) Administering oaths;
- (D) Certifying official acts;
- (E) Taking depositions as provided by law;

(F) Compelling the production of books, payrolls, accounts, papers, records, documents and testimony; and

(G) Establishing fees in addition to the application, licensing and renewal fees described in ORS 475C.065, 475C.085, 475C.093, 475C.097 and 475C.548, provided that any fee established by the commission is reasonably calculated not to exceed the cost of the activity for which the fee is charged.

(e) To adopt rules regulating and prohibiting advertising marijuana items in a manner that:

(A) Is likely to cause minors to unlawfully possess or consume marijuana or marijuana items, in order to prevent the unlawful possession or consumption of marijuana or marijuana items by minors **and to protect minors from the negative health effects of unlawfully consuming marijuana or marijuana items;**

(B) Promotes excessive use;

(C) Promotes illegal activity; or

(D) Otherwise presents a significant risk to public health and safety.

(f) To regulate the use of marijuana items for other purposes as deemed necessary or appropriate by the commission.

(g) To establish pilot programs, of not more than three years in duration, to expand access to marijuana for medical use for registry identification cardholders and designated primary caregivers, as defined in ORS 475C.777.

(h) To regulate the processing, transportation, delivery, sale, purchase and testing of artificially derived cannabinoids in accordance with the provisions of ORS 475C.005 to 475C.525 and 475C.540 to 475C.586.

(i) To regulate the testing and labeling of inhalant delivery systems, as defined in ORS 431A.175, that include industrial hemp-derived vapor items, as defined in ORS 475C.540, that are sold in this state by any person.

**(3) The rules adopted under subsection (2)(e)(A) of this section must require that advertising of marijuana items be tailored judiciously to the purposes described in subsection (2)(e)(A) of this section.**

[(3)] (4) Fees collected pursuant to subsection (2)(d)(G) of this section

shall be deposited in the Marijuana Control and Regulation Fund established under ORS 475C.297.

**SECTION 5.** ORS 475C.449 is amended to read:

475C.449. (1) For purposes of this section, “reasonable regulations” includes:

(a) Reasonable conditions on the manner in which a marijuana producer that holds a license issued under ORS 475C.065 may produce marijuana or in which a researcher of cannabis that holds a certificate issued under ORS 475C.289 may produce marijuana or propagate immature marijuana plants;

(b) Reasonable conditions on the manner in which a marijuana processor that holds a license issued under ORS 475C.085 may process marijuana or in which a researcher of cannabis that holds a certificate issued under ORS 475C.289 may process marijuana;

(c) Reasonable conditions on the manner in which a marijuana wholesaler that holds a license issued under ORS 475C.093 may sell marijuana at wholesale;

(d) Reasonable conditions on the manner in which a marijuana retailer that holds a license issued under ORS 475C.097 may sell marijuana items;

(e) Reasonable limitations on the hours during which a premises for which a license has been issued under ORS 475C.005 to 475C.525 may operate;

(f) Reasonable requirements related to the public’s access to a premises for which a license or certificate has been issued under ORS 475C.005 to 475C.525; and

(g) Reasonable limitations on where a premises for which a license or certificate may be issued under ORS 475C.005 to 475C.525 may be located.

(2) Notwithstanding ORS 30.935, 215.253 (1) or 633.738, the governing body of a city or county may adopt ordinances that impose reasonable regulations on the operation of businesses located at premises for which a license or certificate has been issued under ORS 475C.005 to 475C.525 if the premises are located in the area subject to the jurisdiction of the city or county, except that the governing body of a city or county may not:

(a) Adopt an ordinance that prohibits a premises for which a license has been issued under ORS 475C.097 from being located within a distance that is greater than 1,000 feet of another premises for which a license has been issued under ORS 475C.097.

(b) Adopt an ordinance that imposes a setback requirement for an agricultural building used to produce marijuana located on a premises for which a license has been issued under ORS 475C.065 if the agricultural building:

(A) Was constructed on or before July 1, 2015, in compliance with all applicable land use and building code requirements at the time of construction;

(B) Is located at an address where a marijuana grow site first registered with the Oregon Health Authority under ORS 475C.792 on or before January 1, 2015;

(C) Was used to produce marijuana pursuant to the provisions of ORS 475C.770 to 475C.919 on or before January 1, 2015; and

(D) Has four opaque walls and a roof.

**(3) The limitations imposed by the governing body of a city or county under subsection (1)(g) of this section may, subject to subsection (2)(a) of this section, create a buffer zone of more than 1,000 feet around a premises for which a license or certificate has been issued under ORS 475C.005 to 475C.525 in the compelling interest of the public health and safety of the area subject to the jurisdiction of the city or county.**

**SECTION 6.** ORS 475C.604 is amended to read:

475C.604. (1) As is necessary to protect the public health and safety, and in consultation with the Oregon Health Authority and the State Department of Agriculture, the Oregon Liquor and Cannabis Commission shall adopt rules establishing standards for the labeling of marijuana items and inhalant delivery systems that contain industrial hemp-derived vapor items, including but not limited to:

(a) Ensuring that usable marijuana, cannabinoid concentrates and ex-

tracts, cannabinoid edibles, other cannabinoid products and inhalant delivery systems that contain industrial hemp-derived vapor items have labeling that communicates:

(A) Health and safety warnings;

(B) If applicable, activation time;

(C) Potency;

(D) For cannabinoid products and cannabinoid concentrates and extracts, serving size and the number of servings included in a cannabinoid product or cannabinoid concentrate or extract package; and

(E) Content of the marijuana item or inhalant delivery system that contains an industrial hemp-derived vapor item; and

(b) Labeling that is in accordance with applicable state food labeling requirements for the same type of food product or potable liquid when the food product or potable liquid does not contain marijuana or cannabinoids.

(2) In adopting rules under ORS 475C.770 to 475C.919, the authority shall require all usable marijuana, cannabinoid products and cannabinoid concentrates and extracts transferred by a medical marijuana dispensary registered under ORS 475C.833 to be labeled in accordance with subsection (1) of this section and rules adopted under subsection (1) of this section.

(3) In adopting rules under ORS 475C.005 to 475C.525, the commission shall require all usable marijuana, cannabinoid products and cannabinoid concentrates and extracts sold or transferred by a marijuana retailer that holds a license issued under ORS 475C.097 to be labeled in accordance with subsection (1) of this section **and section 2 of this 2026 Act** and rules adopted under subsection (1) of this section **and section 2 of this 2026 Act**.

(4) In adopting rules under subsection (1) of this section, the commission:

(a) May establish different labeling standards for different varieties of usable marijuana, for different types of cannabinoid products and cannabinoid concentrates and extracts and for inhalant delivery systems that contain industrial hemp-derived vapor items;



(b) May establish different minimum labeling standards for persons registered under ORS 475C.770 to 475C.919 and persons licensed under ORS 475C.005 to 475C.525;

(c) Shall consider the cost of a potential requirement and how that cost will affect the cost to the ultimate consumer of the marijuana item or inhalant delivery system that contains an industrial hemp-derived vapor item; and

(d) May not adopt rules that are more restrictive than is reasonably necessary to protect the public health and safety.

**SECTION 7.** ORS 475C.612 is amended to read:

475C.612. (1) As is necessary to protect the public health and safety, and in consultation with the Oregon Health Authority and the State Department of Agriculture, the Oregon Liquor and Cannabis Commission shall adopt rules establishing standards for the packaging of marijuana items, including but not limited to:

(a) Ensuring that cannabinoid concentrates and extracts, cannabinoid edibles and other cannabinoid products are:

(A) Packaged in child-resistant safety packaging; and

(B) Not marketed in a manner that:

(i) Is untruthful or misleading;

(ii) Is likely to cause minors to unlawfully possess or consume cannabinoid concentrates, cannabinoid extracts, cannabinoid edibles or other cannabinoid products, in order to prevent the unlawful possession or consumption of cannabinoid products by minors; or

(iii) Otherwise creates a significant risk of harm to public health and safety;

(b) Ensuring that usable marijuana, including usable marijuana that is pre-rolled, is not marketed in a manner that:

(A) Is untruthful and misleading;

(B) Is likely to cause minors to unlawfully possess or consume usable marijuana, in order to prevent the unlawful possession or consumption of

usable marijuana by minors; or

(C) Otherwise creates a significant risk of harm to public health and safety; and

(c) In order to prevent the unlawful possession or consumption of cannabinoid edibles and other cannabinoid products by minors **and to protect minors from the negative health effects of the consumption of cannabinoid edibles and other cannabinoid products**, ensuring that cannabinoid edibles and other cannabinoid products are [*not packaged in a manner that is likely to cause minors to unlawfully possess or consume cannabinoid edibles and other cannabinoid products*] **packaged in a manner that is tailored judiciously to the specific purposes described in this paragraph.**

(2) In adopting rules under ORS 475C.770 to 475C.919, the authority shall require all usable marijuana, cannabinoid products and cannabinoid concentrates and extracts transferred by a medical marijuana dispensary registered under ORS 475C.833 to be packaged in accordance with subsection (1) of this section and rules adopted under subsection (1) of this section.

(3) In adopting rules under ORS 475C.005 to 475C.525, the commission shall require all usable marijuana, cannabinoid products and cannabinoid concentrates and extracts sold or transferred by a marijuana retailer that holds a license under ORS 475C.097 to be packaged in accordance with subsection (1) of this section and rules adopted under subsection (1) of this section.

(4) In adopting rules under subsection (1) of this section, the commission:

(a) May establish different packaging standards for different varieties of usable marijuana and for different types of cannabinoid products and cannabinoid concentrates and extracts.

(b) May establish different minimum packaging standards for persons registered under ORS 475C.770 to 475C.919 and persons licensed under ORS 475C.005 to 475C.525.

(c) May consider the effect on the environment of requiring certain

1 packaging.

2 (d) Shall consider the cost of a potential requirement and how that cost  
3 will affect the cost to the ultimate consumer of the marijuana item.

4 (e) **Shall**, in order to prevent the unlawful possession or consumption of  
5 marijuana items [*by minors, shall*] **and to protect minors from the nega-**  
6 **tive health effects of unlawfully consuming marijuana items**, describe,  
7 using objective criteria, packaging that is [*likely to cause minors to unlaw-*  
8 *fully possess or consume marijuana items*] **tailored judiciously to prevent**  
9 **minors from unlawfully possessing or consuming marijuana items and**  
10 **to protect minors from the negative health effects of unlawfully con-**  
11 **suming marijuana items**. The objective criteria must include, but is not  
12 limited to, prohibiting packaging that uses imagery or characters primarily  
13 associated with minors when such associations are likely to result in minors  
14 unlawfully possessing or consuming marijuana items.

15 (f) **Must require that each cannabinoid edible contained in a pack-**  
16 **age of cannabinoid edibles be individually wrapped. The rules adopted**  
17 **under this paragraph do not apply to a cannabinoid edible that is a**  
18 **potable liquid.**

19 [(f)] (g) May not adopt rules that are more restrictive than is reasonably  
20 necessary to protect the public health and safety.

21 **SECTION 8.** ORS 475C.620 is amended to read:

22 475C.620. (1) The Oregon Liquor and Cannabis Commission, in consulta-  
23 tion with the Oregon Health Authority and the State Department of Agri-  
24 culture, shall adopt rules establishing:

25 (a) The maximum concentration of total delta-9-THC that is permitted in  
26 a single serving of a cannabinoid product or cannabinoid concentrate or ex-  
27 tract;

28 (b) The maximum concentration of adult use cannabinoid, any other  
29 cannabinoid or artificially derived cannabinoid that is permitted in a single  
30 serving of a cannabinoid product or a cannabinoid concentrate or extract;  
31 and

(c) The number of servings that are permitted in a package of cannabinoid product or cannabinoid concentrate or extract.

(2)(a) In adopting rules under subsection (1)(a) or (b) of this section, the commission shall prescribe the different levels of concentration of total delta-9-THC, artificially derived cannabinoids, adult use cannabinoids or any other cannabinoid that is permitted in a single serving of a cannabinoid product or cannabinoid concentrate or extract for:

(A) Consumers who hold a valid registry identification card issued under ORS 475C.783; and

(B) Consumers who do not hold a valid registry identification card issued under ORS 475C.783.

(b) In prescribing the levels of concentration of total delta-9-THC, artificially derived cannabinoids, adult use cannabinoids or any other cannabinoid that is permitted in a single serving of a cannabinoid product or cannabinoid concentrate or extract for consumers who hold a valid registry identification card issued under ORS 475C.783, the commission shall consider the appropriate level of concentration necessary to mitigate the symptoms or effects of a debilitating medical condition, as defined in ORS 475C.777.

(3) In adopting rules under ORS 475C.770 to 475C.919, the authority shall adopt by rule requirements established by the commission by rule to require all usable marijuana, cannabinoid products and cannabinoid concentrates and extracts transferred by a medical marijuana dispensary registered under ORS 475C.833 to meet the concentration standards and servings per package standards adopted by rule pursuant to this section.

(4)(a) In adopting rules under ORS 475C.005 to 475C.525, the commission shall require all usable marijuana, cannabinoid products and cannabinoid concentrates and extracts sold or transferred by a marijuana retailer that holds a license under ORS 475C.097 to meet the concentration standards and servings per package standards adopted by rule pursuant to this section.

(b) The rules adopted by the commission under this subsection must:

1 (A) Allow for a concentration of up to 100 milligrams of adult use  
2 cannabinoid per package of cannabinoid edibles.

3 (B) Allow up to 10 milligrams of adult use cannabinoid per individ-  
4 ual cannabinoid edible.

5 **SECTION 9.** ORS 475C.897 is amended to read:

6 475C.897. (1) For purposes of this section, “reasonable regulations” in-  
7 cludes:

8 (a) Reasonable limitations on the hours during which the marijuana grow  
9 site of a person designated to produce marijuana by a registry identification  
10 cardholder, a marijuana processing site or a medical marijuana dispensary  
11 may operate;

12 (b) Reasonable conditions on the manner in which the marijuana grow  
13 site of a person designated to produce marijuana by a registry identification  
14 cardholder, a marijuana processing site or a medical marijuana dispensary  
15 may transfer usable marijuana, medical cannabinoid products, cannabinoid  
16 concentrates, cannabinoid extracts, immature marijuana plants and seeds;

17 (c) Reasonable requirements related to the public’s access to the  
18 marijuana grow site of a person designated to produce marijuana by a reg-  
19 istry identification cardholder, a marijuana processing site or a medical  
20 marijuana dispensary; and

21 (d) Reasonable limitations on where the marijuana grow site of a person  
22 designated to produce marijuana by a registry identification cardholder, a  
23 marijuana processing site or a medical marijuana dispensary may be located.

24 (2) Notwithstanding ORS 30.935, 215.253 (1) or 633.738, the governing body  
25 of a city or county may adopt ordinances that impose reasonable regulations  
26 on the operation of marijuana grow sites of persons designated to produce  
27 marijuana by registry identification cardholders, marijuana processing sites  
28 and medical marijuana dispensaries that are located in the area subject to  
29 the jurisdiction of the city or county.

30 (3) The limitations imposed by the governing body of a city or  
31 county under subsection (1)(d) of this section may create a buffer zone

of more than 1,000 feet around a marijuana grow site of a person designated to produce marijuana by a registry identification cardholder, a marijuana processing site or a medical marijuana dispensary in the compelling interest of the public health and safety of the area subject to the jurisdiction of the city or county.

**SECTION 10.** (1) The amendments to ORS 475C.449 and 475C.897 by sections 5 and 9 of this 2026 Act apply to new licenses, certificates or registrations issued on or after January 1, 2027.

(2) The amendments to ORS 475C.017, 475C.612 and 475C.620 by sections 4, 7 and 8 of this 2026 Act apply to marijuana items and inhalant delivery systems that contain industrial hemp-derived cannabinoids sold or transferred to the final consumer on and after January 1, 2027.

**SECTION 11.** (1) Section 3 of this 2026 Act and the amendments to ORS 475C.017, 475C.449, 475C.612, 475C.620 and 475C.897 by sections 4, 5 and 7 to 9 of this 2026 Act become operative on January 1, 2027.

(2) Section 2 of this 2026 Act and the amendments to ORS 475C.604 by section 6 of this 2026 Act become operative on July 1, 2027.

(3) The Oregon Liquor and Cannabis Commission may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the commission, on and after the operative date specified in subsection (1) of this section, to exercise the duties, functions and powers conferred on the commission by section 3 of this 2026 Act and the amendments to ORS 475C.017, 475C.449, 475C.612, 475C.620 and 475C.897 by sections 4, 5 and 7 to 9 of this 2026 Act.

**SECTION 12.** This 2026 Act takes effect on the 91st day after the date on which the 2026 regular session of the Eighty-third Legislative Assembly adjourns sine die.