

Senate Bill 1556

Sponsored by Senator PROZANSKI, Representative BUCKLEY; Senators DEMBROW, STEINER HAYWARD, Representatives BARKER, BARNHART, FREDERICK, HOLVEY (Pre-session filed.)

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 **as introduced**.

Declares that person 21 years of age or older legally should be able to possess, transfer or produce marijuana. Directs Legislative Assembly to enact laws that define, limit or otherwise regulate possession, transfer, production and taxation of marijuana. Specifies certain components of such laws.

Makes possession of marijuana in certain amounts legal.

Becomes operative January 1, 2015.

Refers Act to people for their approval or rejection at next regular general election.

A BILL FOR AN ACT

1
2 Relating to marijuana; and providing that this Act shall be referred to the people for their approval
3 or rejection.

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

5 **SECTION 1. (1) The people of the State of Oregon find and declare that:**

6 **(a) Except for activity that endangers minors or public safety, a person who is 21 years**
7 **of age or older legally should be able to possess, transfer or produce marijuana.**

8 **(b) The laws of this state prohibiting a person from driving while under the influence of**
9 **intoxicants should apply to a person who drives while under the influence of marijuana.**

10 **(c) The criminal and civil forfeiture laws of this state should not apply to marijuana**
11 **possessed by a person who is 21 years of age or older or to property used to possess, transfer**
12 **or produce marijuana by a person who is 21 years of age or older.**

13 **(d) The protections provided by the Oregon Medical Marijuana Act, set forth in ORS**
14 **475.300 to 475.346, for persons with debilitating conditions have value regardless of the**
15 **legalization of the possession, transfer or production of marijuana.**

16 **(e) The Legislative Assembly shall enact laws that define, limit or otherwise regulate the**
17 **possession, transfer, production and taxation of marijuana that are not otherwise defined,**
18 **limited and regulated by the Oregon Medical Marijuana Act set forth in ORS 475.300 to**
19 **475.346.**

20 **(2) In enacting laws pursuant to subsection (1)(e) of this section, the Legislative Assem-**
21 **bly shall:**

22 **(a) Consider those laws of this state that regulate the production and sale of alcohol;**

23 **(b) Prohibit marijuana-related activities that endanger minors or public safety; and**

24 **(c) Ensure that the laws will:**

25 **(A) Prevent the distribution of marijuana to minors;**

26 **(B) Prevent revenue from the sale of marijuana from going to criminal organizations,**
27 **gangs and cartels;**

28 **(C) Prevent the diversion of marijuana from this state to other states;**

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 (D) Prevent the use, transfer and production of marijuana from being used as a cover
2 or pretext for the trafficking of illegal drugs or illegal activity;

3 (E) Prevent violence and the use of firearms in the cultivation and distribution of
4 marijuana;

5 (F) Prevent driving while under the influence of intoxicants and the exacerbation of other
6 adverse public health consequences associated with marijuana;

7 (G) Prevent the growing of marijuana on public lands and the attendant public safety and
8 environmental dangers posed by marijuana production on public lands; and

9 (H) Prevent marijuana possession or use on federal property.

10 **SECTION 2.** A person who is 21 years of age or older legally may possess marijuana in
11 the following amounts:

12 (1) For adult use at home, the person legally may keep eight ounces or less of marijuana
13 and four or fewer marijuana plants in the person's home; and

14 (2) If the person is not using the marijuana and keeps the marijuana out of public view,
15 the person legally may possess one ounce or less of marijuana in a public place, as defined
16 in ORS 161.015.

17 **SECTION 3.** Sections 1 and 2 of this 2014 Act become operative on January 1, 2015.

18 **SECTION 4.** (1) If Initiative Petition 22 (2014) is placed on the ballot at the next regular
19 general election held throughout this state on November 4, 2014, and both Initiative Petition
20 22 (2014) and this 2014 Act are enacted or approved by a majority of the votes cast thereon:

21 (a) The preamble and sections 1 to 4 of Initiative Petition 22 (2014) are repealed if this
22 2014 Act receives a number of affirmative votes greater than the number of affirmative votes
23 received by Initiative Petition 22 (2014); or

24 (b) Sections 1 to 3 of this 2014 Act are repealed if Initiative Petition 22 (2014) receives a
25 number of affirmative votes greater than the number of affirmative votes received by this
26 2014 Act.

27 (2) If Initiative Petition 37 (2014) is placed on the ballot at the next regular general
28 election held throughout this state on November 4, 2014, and both Initiative Petition 37 (2014)
29 and this 2014 Act are enacted or approved by a majority of the votes cast thereon:

30 (a) Sections 1 to 73 and 81 to 86 of Initiative Petition 37 (2014) and the amendments to
31 ORS 316.680, 475.525, 475.752, 475.856, 475.860, 475.864 and 571.315 by sections 74 to 80 of Ini-
32 tiative Petition 37 (2014) are repealed if this 2014 Act receives a number of affirmative votes
33 greater than the number of affirmative votes received by Initiative Petition 37 (2014); or

34 (b) Sections 1 to 3 of this 2014 Act are repealed if Initiative Petition 37 (2014) receives a
35 number of affirmative votes greater than the number of affirmative votes received by this
36 2014 Act.

37 **SECTION 5.** This 2014 Act shall be submitted to the people for their approval or rejection
38 at the next regular general election held throughout this state.

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