

Joint Committee On Marijuana Legalization

Fiscal: Fiscal impact issued
Revenue: Revenue impact issued

Action Date: 02/16/16
Action: Do Pass The A-Eng Bill.
Meeting Dates: 02/02, 02/12, 02/16

Vote:

House

Yeas: 5 - Buckley, Helm, Lininger, Olson, Wilson

Senate

Yeas: 5 - Beyer, Burdick, Ferrioli, Kruse, Prozanski

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WHAT THE MEASURE DOES:

Requires marijuana producers (producers), marijuana processors (processors), marijuana wholesalers (wholesalers), and marijuana retailers (retailers) licensed by the Oregon Liquor Control Commission (OLCC) to register with the OLCC to produce, process, transfer, or sell marijuana for medical purposes. Allows specified license types to produce, process, transfer, or sell marijuana or marijuana products for medical purposes under certain conditions. Exempts marijuana produced pursuant to personal agreements from mature marijuana canopy limits, but may not exceed amount Oregon Medical Marijuana Program (OMMP) cardholder and caregiver may jointly possess. Requires Oregon Health Authority (OHA) to adopt rules establishing tetrahydrocannabinol (THC) single serving limits for consumers with and without valid OMMP registration cards. Directs OHA to adopt rules prescribing differing concentration levels of THC allowable in a single serving for persons registered and not registered with OMMP. Stays marijuana possession limits for marijuana growers applying for OLCC licensure until April 1st provided specified actions are taken. Stays marijuana possession limits for marijuana growers not applying for OLCC licensure until May 1st provided specified actions are taken. Describes process growers must follow when notifying patients of application for OLCC licensure. Prohibits retailers from collecting tax on marijuana sold to OMMP cardholder or designated primary caregiver. Allows medical marijuana dispensaries to sell cannabinoid edibles and cannabinoid extracts to persons without OMMP registration card. Sets limit on number and type of cannabinoid edibles and extracts that may be purchased per day. Allows local governments to adopt ordinances allowing medical marijuana dispensaries or marijuana retailers to be located within 500 feet of schools if the local government determines a physical or geographic barrier separates them. Requires local government adopting specified ordinance to notify OHA or OLCC. Repeals OLCC authority to issue marijuana production license to OHA registered grower. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Requirements for licensure within OLCC regulatory system
- Potential taxation of medical marijuana sold at recreational dispensaries to OMMP patients
- Notification requirements of medical marijuana growers seeking licensure with OLCC

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Under current Oregon law there are two separate regulatory systems through which marijuana is produced, processed, transferred, and sold: the Oregon Medical Marijuana Program (OMMP) administered by the Oregon Health Authority (OHA), and adult recreational use regulated by the Oregon Liquor Control Commission (OLCC). Preliminary data shows a significant number of OMMP growers, caregivers, and dispensaries are moving over to the OLCC-run adult use system, potentially leaving many of the over 77,000 OMMP patients without a grower, caregiver, or dispensary.

Senate Bill 1511 A has several provisions that allow greater access to both systems for OMMP registrants, OLCC license holders, and the general public, including allowing OLCC licensees the ability to produce, process, transfer, or sell marijuana to medical cardholders, processors, and dispensaries. Senate Bill 1511 A would also allow OMMP cardholders to purchase marijuana tax free. Finally, it would allow those medical marijuana dispensaries currently selling to non-OMMP cardholders to sell edibles and prefilled vaporizer cartridges containing cannabinoid extracts, and all products must be tested according to OHA rule prior to sale.