

SB 56 -3, -9, -10, -15, -16, -17, -18, -23, -25, -26, -27, -28 STAFF

MEASURE SUMMARY

Joint Committee On Marijuana Regulation

Prepared By: Adam Crawford, LPRO Analyst

Meeting Dates: 5/23, 5/30

WHAT THE MEASURE DOES:

Authorizes Oregon Liquor Control Commission to require cannabis-related licensees, certificate holders and applicants for licenses and certificates to submit information related to persons who hold financial interest in business operating or to be operated under license or certificate. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Taxation of marijuana grown on federally recognized tribal lands
- Statutory prohibitions on OHA publicizing medical marijuana grow sites
- OLCC authority for regulating licensees

EFFECT OF AMENDMENT:

-3 Replaces measure. Requires OLCC and OHA to maintain a telephone line for informing a person designated by a city or county to whether an address is or premises is an OLCC licensed or OHA registered marijuana establishment. Takes effect on the 91st day of adjournment.

-9 Replaces measure. Allows a marijuana retailer to claim a refund of 50 percent of the tax imposed on processed marijuana items if the item was produced by a marijuana producer located on tribal trust land and licensed by the governing body of a federally recognized Indian tribe but not processed by a marijuana processor located on tribal trust land and licensed by the governing body of a federally recognized Indian tribe. Allows a marijuana retailer to claim a refund of 100 percent of the tax imposed on marijuana items if the item was produced by a marijuana producer located on tribal trust land and licensed by the governing body of a federally recognized Indian tribe and does not require processing or if the item is processed by a marijuana processor located on tribal trust land and licensed by the governing body of a federally recognized Indian tribe. Takes effect on the 91st day after adjournment.

-10 Replaces measure. Allows a city or county that has enacted an ordinance prohibiting or allowing medical marijuana establishments to amend the ordinance without referring the amendment to the jurisdiction's electors to prohibit or allow OLCC's exclusively medical licensees.

Allows marijuana retailers to be placed within 1,000 feet of a school if they are not located within 500 feet of a school and the OLCC determines there is a physical or geographic barrier preventing children from accessing the marijuana retailer.

Allows transfer of marijuana between dispensaries owned or substantially owned by the same persons. Provides additional sanctioning authority for OLCC if the Commission makes specific findings against an applicant or licensee.

Takes effect on the 91st day after sine die.

-15 Replaces measure. Allows a marijuana retailer to provide topical samples of cannabinoid products at a trade show if certain conditions are met. Takes effect on the 91st day after adjournment.

-16 Replaces measure. Allows medical staff of a long term care facility to administer topical cannabinoid products if they are obtained by an OLCC licensed wholesaler or retailer, are nonpsychoactive, and meeting any other requirement established by the Department of Human Services by rule. Exempts medical staff who do deliver or administer topical cannabinoid products from specified civil and criminal penalties.

-17 Replaces measure. Requires OLCC to develop and periodically update a web-based and searchable list of marijuana producers licensed with the OLCC and registered to produce marijuana for medical patients. Takes effect on the 91st day after adjournment.

-18 Replaces measure. Finds and declares unregulated commerce of marijuana items is a serious danger to public health and safety. Allows OLCC to immediately restrict, suspend, or refuse to renew a license issued if the Commission concludes the licensee has sold, store, or transferred marijuana in a manner not permitted by their license. Takes effect on the 91st day after adjournment.

-23 Replaces measure. Allows a Micro Tier I and Micro Tier II recreational marijuana producers to process marijuana into cannabinoid concentrates through specified concentration methods. Takes effect on the 91st day after adjournment.

-25 Replaces measure. Allows an OLCC licensee to provide topical samples of marijuana items at a trade show if certain conditions are met. Requires trade show to submit to the OLCC the trade show's plan for ensuring a person attending the trade show would not receive an excess amount of marijuana items. Takes effect on the 91st day after adjournment.

-26 Replaces measure. Requires OLCC to issue one or more orders providing for a service processing and keeping records of transactions occurring between licensees, consumers, and other entities or individuals. Specifies requirements for the service provider. Takes effect on the 91st day after adjournment.

-27 Replaces measure. Allows OLCC licensed Micro Tier I and Micro Tier II recreational marijuana producers to process marijuana into cannabinoid concentrates through specified concentration methods.

Finds and declares unregulated commerce of marijuana items is a serious danger to public health and safety. Allows OLCC to restrict, suspend, or refuse to renew a license issued if the Commission concludes the licensee has sold, store, or transferred marijuana in a manner not permitted by their license. Requires OLCC and OHA to maintain a telephone line for informing a person designated by a city or county to whether an address is or premises is an OLCC licensed or OHA registered marijuana establishment.

Allows marijuana retailer to retain customer information specified by OLCC administrative rule as necessary to make deliveries.

Takes effect on the 91st day after adjournment.

-28 Replaces measure. Exempts OMMP growers applying for OLCC producers licensure on or before the effective date of the measure from immature plant limits. Declares emergency, effective on passage.

BACKGROUND:

The Oregon Liquor Control Commission requires persons applying for any marijuana establishment license submit specified information prior to the approval of marijuana producer, processor, wholesaler, or retailer license. These requirements include floor plans, ownership structure, security plans, and other information.

Senate Bill 56 would require those persons to also submit information related to persons who hold financial interest in business operating or to be operated under license or certificate.