

**PROPOSED MINORITY REPORT AMENDMENTS TO
SENATE BILL 1556**

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest
2 of the line and line 3 and insert “amending ORS 475.314.”.

3 Delete lines 5 through 28 and page 2 and insert:

4 **“SECTION 1.** ORS 475.314 is amended to read:

5 “475.314. (1) The Oregon Health Authority shall establish by rule a med-
6 ical marijuana facility registration system to authorize the transfer of usable
7 marijuana and immature marijuana plants from:

8 “(a) A registry identification cardholder, the designated primary caregiver
9 of a registry identification cardholder, or a person responsible for a
10 marijuana grow site to the medical marijuana facility; or

11 “(b) A medical marijuana facility to a registry identification cardholder
12 or the designated primary caregiver of a registry identification cardholder.

13 “(2) The registration system established under subsection (1) of this sec-
14 tion must require a medical marijuana facility to submit an application to
15 the authority that includes:

16 “(a) The name of the person responsible for the medical marijuana facil-
17 ity;

18 “(b) The address of the medical marijuana facility;

19 “(c) Proof that the person responsible for the medical marijuana facility
20 is a resident of Oregon;

21 “(d) Documentation, as required by the authority by rule, that demon-
22 strates the medical marijuana facility meets the qualifications for a medical

1 marijuana facility as described in subsection (3) of this section; and

2 “(e) Any other information that the authority considers necessary.

3 “(3) To qualify for registration under this section, a medical marijuana
4 facility:

5 “(a) Must be located in an area that is zoned for commercial, industrial
6 or mixed use or as agricultural land; [*and*]

7 “(b) May not be located at the same address as a marijuana grow site;

8 “[*b*] (c) Must be registered as a business or have filed a pending appli-
9 cation to register as a business with the Office of the Secretary of State;

10 “[*c*] (d) Must not be located within 1,000 feet of the real property com-
11 prising **a public or private preschool or** a public or private elementary,
12 secondary or career school attended primarily by minors;

13 “[*d*] (e) Must not be located within 1,000 feet of another medical
14 marijuana facility; and

15 “[*e*] (f) Must comport with rules adopted by the authority related to:

16 “(A) Installing a minimum security system, including a video surveillance
17 system, alarm system and safe; and

18 “(B) Testing for pesticides, mold and mildew and the processes by which
19 usable marijuana and immature marijuana plants that test positive for pes-
20 ticides, mold or mildew must be returned to the registry identification
21 cardholder, the cardholder’s designated primary caregiver or the cardholder’s
22 registered grower.

23 “(4)(a) The authority shall conduct a criminal records check under ORS
24 181.534 of a person whose name is submitted as the person responsible for a
25 medical marijuana facility under subsection (2) of this section.

26 “(b) A person convicted for the manufacture or delivery of a controlled
27 substance in Schedule I or Schedule II may not be the person responsible for
28 a medical marijuana facility for five years from the date the person is con-
29 victed.

30 “(c) A person convicted more than once for the manufacture or delivery

1 of a controlled substance in Schedule I or Schedule II may not be the person
2 responsible for a medical marijuana facility.

3 “(5) If a person submits the application required under subsection (2) of
4 this section, the medical marijuana facility identified in the application
5 meets the qualifications for a medical marijuana facility described in sub-
6 section (3) of this section and the person responsible for the medical
7 marijuana facility passes the criminal records check required under sub-
8 section (4) of this section, the authority shall register the medical marijuana
9 facility and issue the person responsible for the medical marijuana facility
10 proof of registration. The person responsible for the medical marijuana fa-
11 cility shall display the proof of registration on the premises of the medical
12 marijuana facility at all times when usable marijuana or immature
13 marijuana plants are being transferred as described in subsection (1) of this
14 section.

15 “(6)(a) A registered medical marijuana facility may receive usable
16 marijuana or immature marijuana plants only from a registry identification
17 cardholder, designated primary caregiver or person responsible for a
18 marijuana grow site if the registered medical marijuana facility obtains au-
19 thorization, on a form prescribed by the authority by rule and signed by a
20 registry identification cardholder, to receive the usable marijuana or imma-
21 ture marijuana plants.

22 “(b) A registered medical marijuana facility shall maintain:

23 “(A) A copy of each authorization form described in paragraph (a) of this
24 subsection; and

25 “(B) Documentation of each transfer of usable marijuana or immature
26 marijuana plants.

27 “(7) A medical marijuana facility registered under this section may pos-
28 sess usable marijuana and immature marijuana plants in excess of the limits
29 imposed on registry identification cardholders and designated primary
30 caregivers under ORS 475.320.

1 **“(8)(a) A registered medical marijuana facility may not transfer any**
2 **tetrahydrocannabinol-infused product that is meant to be swallowed**
3 **or inhaled, unless the product:**

4 **“(A) Is packaged in child-resistant safety packaging that meets**
5 **standards established by the authority by rule;**

6 **“(B) Is packaged in plastic that is four millimeters or greater in**
7 **thickness, is heat sealed and has no tab, dimple, corner or flap that**
8 **makes opening the package easier; or**

9 **“(C) If in liquid form, is bottled and sealed with a metal crown cork**
10 **bottle cap.**

11 **“(b) A registered medical marijuana facility may not transfer any**
12 **tetrahydrocannabinol-infused product that is manufactured or pack-**
13 **aged in a manner that is attractive to minors, as determined by the**
14 **authority by rule.**

15 **“[(8)] (9) The authority may inspect:**

16 **“(a) The premises of an applicant for a medical marijuana facility or a**
17 **registered medical marijuana facility to ensure compliance with the quali-**
18 **fications for a medical marijuana facility described in subsection (3) of this**
19 **section; and**

20 **“(b) The records of a registered medical marijuana facility to ensure**
21 **compliance with subsection (6)(b) of this section.**

22 **“[(9)(a)] (10)(a) A registry identification cardholder or the designated**
23 **primary caregiver of a registry identification cardholder may reimburse a**
24 **medical marijuana facility registered under this section for the normal and**
25 **customary costs of doing business, including costs related to transferring,**
26 **handling, securing, insuring, testing, packaging and processing usable**
27 **marijuana and immature marijuana plants and the cost of supplies, utilities**
28 **and rent or mortgage.**

29 **“(b) A medical marijuana facility may reimburse a person responsible for**
30 **a marijuana grow site under this section for the normal and customary costs**

1 of doing business, including costs related to transferring, handling, securing,
2 insuring, testing, packaging and processing usable marijuana and immature
3 marijuana plants and the cost of supplies, utilities and rent or mortgage.

4 “[10] (11) The authority may revoke the registration of a medical
5 marijuana facility registered under this section for failure to comply with
6 ORS 475.300 to 475.346 or rules adopted under ORS 475.300 to 475.346. The
7 authority may release to the public a final order revoking a medical
8 marijuana facility registration.

9 “[11] (12)(a) The authority shall adopt rules to implement this section,
10 including rules that:

11 “[a] (A) Require a medical marijuana facility registered under this sec-
12 tion to annually renew that registration; and

13 “[b] (B) Establish fees for registering and renewing registration for a
14 medical marijuana facility under this section.

15 “(b) In adopting rules under subsection (8)(a)(A) of this section, the
16 authority shall consider standards established under and pursuant to
17 the federal Poison Prevention Packaging Act.”.

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