

Enrolled Senate Bill 319

Sponsored by Senator PROZANSKI (Pre-session filed.)

CHAPTER

AN ACT

Relating to cannabis; creating new provisions; amending sections 29 and 29b, chapter 83, Oregon Laws 2016; and declaring an emergency.

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

SECTION 1. Section 29, chapter 83, Oregon Laws 2016, is amended to read:

Sec. 29. (1) Notwithstanding ORS 475B.450 (3)(d), a city or county may [*adopt an ordinance allowing*] **allow** a medical marijuana dispensary to be located within [500] **1,000** feet of a public elementary or secondary school for which attendance is compulsory under ORS 339.020, or a private or parochial elementary or secondary school teaching children as described in ORS 339.030 (1)(a), if:

(a) **The medical marijuana dispensary is not located within 500 feet of the school; and**

(b) The county or city determines that a physical or geographic barrier capable of preventing children from traversing to the [*school*] **medical marijuana dispensary** separates the medical marijuana dispensary from the school.

(2) A city or county that [*adopts an ordinance*] **makes an allowance** under this section must inform the Oregon Health Authority, in a form and manner prescribed by the authority, of the [*content and effective date of the ordinance*] **allowance**.

SECTION 2. Section 29b, chapter 83, Oregon Laws 2016, is amended to read:

Sec. 29b. (1) Notwithstanding ORS 475B.110 (2)(d), a city or county may [*adopt an ordinance allowing*] **allow** a premises for which a license has been issued under ORS 475B.110 to be located within [500] **1,000** feet of a public elementary or secondary school for which attendance is compulsory under ORS 339.020, or a private or parochial elementary or secondary school teaching children as described in ORS 339.030 (1)(a), if:

(a) **The premises is not located within 500 feet of the school; and**

(b) The county or city determines that a physical or geographic barrier capable of preventing children from traversing to the [*school*] **premises** separates the premises from the school.

(2) A city or county that [*adopts an ordinance*] **makes an allowance** under this section must inform the Oregon Liquor Control Commission, in a form and manner prescribed by the commission, of the [*content and effective date of the ordinance*] **allowance**.

SECTION 3. The amendments to sections 29 and 29b, chapter 83, Oregon Laws 2016, by sections 1 and 2 of this 2017 Act apply to allowances made by a city or county, for medical marijuana dispensaries registered under ORS 475B.450 and premises for which a license is issued under ORS 475B.110, before, on or after the effective date of this 2017 Act.

SECTION 4. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.

Passed by Senate February 23, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House March 13, 2017

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State