

# D R A F T

## SUMMARY

Clarifies that, to qualify for exemption from land use compatibility statement, applicant for marijuana production license is not required to demonstrate continuous registration of marijuana grow site prior to date of application for licensure.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to land use requirements for marijuana production; creating new provisions; amending ORS 475B.074; and declaring an emergency.

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

**SECTION 1.** ORS 475B.074 is amended to read:

475B.074. (1) The requirement under ORS 475B.063 to obtain a land use compatibility statement as a condition of receiving a license under ORS 475B.070 does not apply to an applicant if:

[(1)] (a) The applicant is applying for a license at an address where a marijuana grow site registered under ORS 475B.810 is located;

[(2)] (b) The address is outside of city limits;

[(3)] (c) At least one person responsible for a marijuana grow site located at the address first registered with the Oregon Health Authority under ORS 475B.810 before January 1, 2015, **and is registered with the authority under ORS 475B.810 on the date on which the applicant submitted the application for a license under ORS 475B.070;**

[(4)] (d) Each person responsible for a marijuana grow site located at the address first registered with the [*Oregon Health*] authority under ORS 475B.810 before February 1, 2016, **and is registered with the authority**

1 **under ORS 475B.810 on the date on which the applicant submitted the**  
2 **application for a license under ORS 475B.070; and**

3 [(5)] (e) The applicant is applying for a mature marijuana plant grow  
4 canopy of:

5 [(a)] (A) 5,000 square feet or less, if the marijuana is produced outdoors;  
6 or

7 [(b)] (B) 1,250 square feet or less, if the marijuana is produced indoors.

8 (2) For purposes of this section, an applicant for a license under  
9 ORS 475B.070 is not required to demonstrate that:

10 (a) At least one person responsible for a marijuana grow site lo-  
11 cated at the address for which the applicant is applying for a license  
12 has been continuously registered with the authority under ORS  
13 475B.810 between January 1, 2015, and the date on which the applicant  
14 applies for a license under ORS 475B.070; or

15 (b) Each person responsible for a marijuana grow site located at the  
16 address for which the applicant is applying for a license has been  
17 continuously registered with the authority under ORS 475B.810 be-  
18 tween February 1, 2016, and the date on which the applicant applies for  
19 a license under ORS 475B.070.

20 **SECTION 2. The amendments to ORS 475B.074 by section 1 of this**  
21 **2019 Act apply to applications for licenses under ORS 475B.070 submit-**  
22 **ted before, on or after the effective date of this 2019 Act.**

23 **SECTION 3. This 2019 Act being necessary for the immediate pres-**  
24 **ervation of the public peace, health and safety, an emergency is de-**  
25 **clared to exist, and this 2019 Act takes effect on its passage.**

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