

## SB 96 A STAFF MEASURE SUMMARY

### Senate Committee On Health Care

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**Action Date:** 03/01/21

**Action:** Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

**Vote:** 4-1-0-0

**Yeas:** 4 - Beyer, Knopp, Manning Jr, Patterson

**Nays:** 1 - Heard

**Fiscal:** Fiscal impact issued

**Revenue:** Has minimal revenue impact

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**Meeting Dates:** 2/1, 3/1

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#### WHAT THE MEASURE DOES:

Authorizes Oregon Liquor Control Commission (OLCC) to regulate the testing and labeling of inhalant delivery systems that include industrial hemp-derived vapor items. Defines "industrial hemp-derived vapor item" and modifies definition of "processing" for purposes of marijuana regulation. Requires OLCC to consult with the Oregon Health Authority and the Oregon Department of Agriculture when establishing labeling standards. Allows Department of Agriculture and OLCC to take action for violations of industrial hemp-derived vapor item regulations. Takes effect on 91st day following adjournment sine die.

#### ISSUES DISCUSSED:

- Governor's Vaping Public Health Work Group recommendations
- Impact of Ballot Measure 108 (2020) on taxation of vape products
- Regulation of testing and labeling of hemp-based vape products
- Differentiation in regulation of hemp-based vape products and other hemp-based products

#### EFFECT OF AMENDMENT:

Replaces the measure.

#### BACKGROUND:

The Oregon Legalized Marijuana Initiative (Measure 91) approved by voters in 2014 legalized recreational marijuana for people ages 21 and older. The Measure tasked the Oregon Liquor Control Commission with regulating the sale, processing, and production of marijuana items. Inhalant delivery systems, or devices that deliver nicotine or cannabinoids in the form of a vapor or aerosol to the person inhaling from the device, are regulated by the Oregon Health Authority. Hemp means all non-seed parts and varieties of the cannabis plant, whether growing or not, that contain an average tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry weight basis. The Oregon Department of Agriculture regulated the commercial production of industrial hemp.

Senate Bill 96 A authorizes the Oregon Liquor Control Commission to regulate the testing and labeling of inhalant delivery systems that include industrial hemp-derived vapor items.