

HB 3197 A STAFF MEASURE SUMMARY

House Committee On General Government

Action Date: 03/25/21

Action: Do pass with amendments and be referred to Ways and Means by prior reference.
(Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Leif, Lively, Smith Warner, Wilde, Zika

Fiscal: Fiscal impact issued

Revenue: Revenue impact issued

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Meeting Dates: 3/11, 3/23, 3/25

WHAT THE MEASURE DOES:

Requires employee of a laboratory that tests marijuana items to hold work permit issued by the Oregon Liquor Control Commission. Allows licensed marijuana retailer to relocate to required distance from school without obtaining a new license. Establishes testing and tracking requirements for industrial hemp processors to transfer hemp products to persons other than licensed processor, retailer, or wholesaler. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Provisions of measure
- Licensing of hemp processors

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

ORS 475B.261 requires an individual who performs work for a licensee of the Oregon Liquor Control Commission (OLCC) to have a valid permit issued by the OLCC if the individual participates in the possession, production, propagation, processing, securing or selling of marijuana items at the licensed premises. A laboratory that conducts testing of marijuana items is one example of a premise that must be licensed by the OLCC.

Current law also sets requirements for the proximity of a licensed marijuana retailer to a school. A licensed marijuana retailer may not be located within 1,000 feet of a school unless the OLCC determines that there is a physical or geographic barrier capable of preventing children from traversing to the licensed premises. If a school is later established within 1,000 feet of a licensed marijuana retailer, the retailer located at that premises may remain at that location unless the OLCC revokes the license for other regulatory violations.

Hemp is considered an agricultural crop in the state, and the Oregon Department of Agriculture is responsible for administering the Oregon Hemp Program. All growers and handlers must be registered with the program and follow rules for testing and recordkeeping. ORS 571.337 sets requirements by which an industrial hemp processor, retailer, or wholesaler may purchase, receive, transfer, sell or transport industrial hemp, or an industrial hemp commodity or product that contains cannabinoids and is intended for human consumption.

House Bill 3197 A requires an employee of a laboratory that tests marijuana items to hold a work permit issued by the OLCC and allows a licensed marijuana retailer to relocate to the required distance from a school without obtaining a new license. The measure also establishes testing and tracking requirements for industrial hemp processors to transfer hemp products to persons other than licensed processor, retailer, or wholesaler.