

SB 758 A STAFF MEASURE SUMMARY**Senate Committee On Health Care****Action Date:** 04/12/21**Action:** Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)**Vote:** 4-0-1-0**Yeas:** 4 - Beyer, Knopp, Manning Jr, Patterson**Exc:** 1 - Heard**Fiscal:** Fiscal impact issued**Revenue:** Revenue impact issued**Prepared By:** Brian Nieubuurt, LPRO Analyst**Meeting Dates:** 3/17, 3/24, 4/12**WHAT THE MEASURE DOES:**

Changes “Oregon Medical Marijuana Act” to “Oregon Medical and Therapeutic Cannabis Act.” Allows person designated to produce marijuana by registry identification cardholder (cardholder) to enter into agreement with cardholder to transfer marijuana to another cardholder or primary caregiver. Directs Oregon Health Authority (OHA) to adopt policies and make public statement regarding equitable access to marijuana for medical use. Requires OHA, in consultation with the Oregon Liquor Control Commission (OLCC) and other state agencies, to ensure cybersecurity of personally identifiable information in authority databases and electronic systems. Clarifies definitions of “attending provider” and “debilitating medical condition” for medical marijuana use and registration purposes. Directs OHA to issue permanent registry identification card to individual with lifetime debilitating medical condition. Clarifies acceptable documentation for issuance of registry identification card. Provides that production of marijuana for medical use by a registry identification cardholder at their house and for their use is not subject to reporting requirements. Removes criminal records check requirement for medical marijuana dispensary registration applications. Prohibits health professional regulatory boards from imposing civil penalty or taking disciplinary action against providers who recommend or discuss medical use of marijuana. Requires OHA and OLCC to study and report to the Legislative Assembly by December 31, 2022, methods for anonymously providing information regarding transfer of marijuana items from retailers to cardholders and identify any necessary modifications to registry identification cardholder system and process. Requires marijuana retailers and medical marijuana dispensaries to publish test results, including complete terpene profiles beginning June 1, 2022. Requires OLCC to collaborate with OHA and the Oregon Cannabis Commission to establish a registry identification cardholder care and accommodation program to ensure that registry identification cardholders have long-term access to marijuana for medical use from marijuana retailers. Allows medical marijuana dispensary to transfer marijuana to individual who holds valid out-of-state medical marijuana patient card. Requires Oregon Cannabis Commission to report to the Legislative Assembly by September 2 in each odd-numbered year on the long-term strategic plan for ensuring that cannabis will remain a therapeutic option for persons with debilitating medical conditions. Exempts out-of-state medical marijuana patient from taxation on retail sale of marijuana items. Updates distribution percentages for moneys in Oregon Marijuana Account for purposes of administering medical marijuana program. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- History of medical and recreational marijuana in Oregon
- Current overlap of recreational and medical marijuana regulation
- Expansion and protection of providers allowed to authorize medical marijuana use
- Lack of insurance coverage for medical marijuana
- Medical marijuana fees

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- Residency requirements for medical marijuana
- Number of medical marijuana users and growers

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

In 1998, Oregon voters passed Measure 67 (the Oregon Medical Marijuana Act), allowing the cultivation, possession, and use of marijuana under a doctor's recommendation for certain medical conditions. The Oregon Health Authority administers the Oregon Medical Marijuana Program which, as of January, 2021, registered 22,603 patients, 8,592 caregivers, 8,245 growers, and 6,895 grow sites.

In 2014, Oregon voters passed Measure 91 legalizing recreational marijuana for people ages 21 and older. The Oregon Liquor Control Commission oversees the regulation of recreational marijuana sales in Oregon.

Senate Bill 758 A changes the "Oregon Medical Marijuana Act" to the "Oregon Medical and Therapeutic Cannabis Act" and updates regulation of marijuana cultivation, possession, and use for medicinal purposes.