



Open Government Impact Statement

81st Oregon Legislative Assembly
2021 Regular Session

Measure: HB 3112 - A

Only impacts on Original or Engrossed
Versions are Considered Official

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Date: 5/26/2021

SUMMARY

Establishes Equity Investment and Accountability Board and Equity Investment and Accountability Office within office of Governor to provide equity oversight of cannabis industry in this state. Requires board and office to annually report information about equity in Oregon cannabis industry to interim committee of Legislative Assembly related to cannabis. Establishes equity liaisons in Oregon Health Authority and Oregon Liquor Control Commission. Requires equity liaisons to report to board and office quarterly on specified information. Establishes Cannabis Equity Fund and continuously appropriates moneys in fund to board and office for specified purposes.

Directs commission to issue equity license to qualified applicant. Directs commission, board and office to determine date on which equity licensee may transfer more than 49 percent ownership in licensed entity.

Allows commission to issue cannabis on-premises consumption license, cannabis delivery license, shared processing license or shared processing facility license to applicant who meets qualification criteria for equity license. Allows commission, after date established by commission but not before January 1, 2028, to issue cannabis on-premises consumption license and cannabis delivery license to applicant who does not meet qualification criteria for equity license. Allows commission, after January 1, 2032, to issue shared processing license or shared processing facility license to applicant who does not meet qualification criteria for equity license.

Directs office of public defense services to compile list of certain offenses that involve lawful marijuana activity for purposes of setting aside records of conviction, arrest or charge. Requires office to submit report with list of offenses and recommendations to improve processes to Judicial Department, Equity Investment and Accountability Board, Equity Investment and Accountability Office and interim committees of Legislative Assembly related to judiciary.

Directs Judicial Department, Department of State Police, municipal and justice courts and district attorneys in this state to provide information to office of public defense services concerning persons who may be eligible to have set aside conviction, arrest or charge for marijuana offense. Modifies procedures for setting aside certain marijuana convictions, arrests and charges. Authorizes office of public defense services to file motions for setting aside certain marijuana convictions, arrests and charges. Authorizes office to contract with independent attorney to assist office for specified purposes.

Limits imposition of supervision conditions related to use of marijuana. Provides that marijuana use may not be basis of parole, probation or post-prison supervision violation except in certain circumstances.

Requires allocation of moneys in Criminal Fine Account to Cannabis Equity Fund. Requires



distribution of moneys from Oregon Marijuana Account to Cannabis Equity Fund. Specifies manner in which authority shall use moneys transferred to authority.

Provides that authority may not charge fee greater than \$20 for registry identification card for individual who served in Armed Forces of United States or who receives certain public assistance or \$60 for any other individual.

Becomes operative on August 22, 2022.

Takes effect on 91st day following adjournment sine die.

NOTICE OF NO OPEN GOVERNMENT IMPACT