

# House Bill 3131

Sponsored by Representative NOBLE (at the request of Amy Larson)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits outdoor production of industrial hemp or marijuana within specified distance of residential property or boundary of area zoned for residential use. Requires processing of industrial hemp to occur only in area zoned for industrial use. Prohibits industrial hemp processing facility from using lighting visible outside facility between 7 p.m. and 7 a.m.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1 Relating to cannabis; and prescribing an effective date.

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

3 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 475B.010 to**  
4 **475B.545.**

5 **SECTION 2. A marijuana producer licensed under ORS 475B.070 may not produce**  
6 **marijuana outdoors at a premises that is located within 2,500 feet of a residential property**  
7 **boundary or within 1,000 feet of the boundary of any other area zoned for residential use.**

8 **SECTION 3. Section 2 of this 2021 Act applies to outdoor marijuana production initially**  
9 **commenced at a premises on or after the operative date specified in section 12 of this 2021**  
10 **Act.**

11 **SECTION 4. Section 5 of this 2021 Act is added to and made a part of ORS 475B.785 to**  
12 **475B.949.**

13 **SECTION 5. A marijuana grow site registered under ORS 475B.810 may not produce**  
14 **marijuana outdoors at a premises that is located within 2,500 feet of a residential property**  
15 **boundary or within 1,000 feet of the boundary of any other area zoned for residential use.**

16 **SECTION 6. Section 5 of this 2021 Act applies to outdoor marijuana production initially**  
17 **commenced at a premises on or after the operative date specified in section 12 of this 2021**  
18 **Act.**

19 **SECTION 7. Sections 8 and 9 of this 2021 Act are added to and made a part of ORS 571.260**  
20 **to 571.348.**

21 **SECTION 8. A grower may not produce industrial hemp outdoors at a location that is**  
22 **located within 2,500 feet of a residential property boundary or within 1,000 feet of the**  
23 **boundary of any other area zoned for residential use.**

24 **SECTION 9. (1) A handler may process industrial hemp only in an area that is zoned for**  
25 **industrial use.**

26 **(2) A handler may dry industrial hemp only indoors at a facility located in an area zoned**  
27 **for industrial use.**

28 **(3) A facility used for the processing of industrial hemp may not use any lighting that is**  
29 **visible from the outside of the facility between the hours of 7 p.m. and 7 a.m.**

30 **NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1       **SECTION 10.** Section 8 of this 2021 Act applies to an industrial hemp operation initially  
2 registered on or after the operative date specified in section 12 of this 2021 Act.

3       **SECTION 11.** Section 9 of this 2021 Act applies to an industrial hemp operation initially  
4 registered on or after the operative date specified in section 12 of this 2021 Act.

5       **SECTION 12.** (1) Sections 2, 5, 8 and 9 of this 2021 Act become operative on January 1,  
6 2022.

7       (2) The Oregon Health Authority, the Oregon Liquor Control Commission and the State  
8 Department of Agriculture may take any action before the operative date specified in sub-  
9 section (1) of this section that is necessary to enable the authority, the commission and the  
10 department to exercise, on and after the operative date specified in subsection (1) of this  
11 section, all of the duties, functions and powers conferred on the authority, the commission  
12 and the department by sections 2, 5, 8 and 9 of this 2021 Act.

13       **SECTION 13.** This 2021 Act takes effect on the 91st day after the date on which the 2021  
14 regular session of the Eighty-first Legislative Assembly adjourns sine die.

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