

HB 3112 Cannabis Equity and Accountability Act

-14 Amendment Summary

Last updated 05/10/2021

Cannabis Equity Governing Body	
<p>Base bill: Establishes governing board within the Office of the Governor to direct investment from the Cannabis Equity Fund, track outcomes, and oversee programs. Membership includes representatives of the cannabis industry, public health, and community advocates.</p>	<p>Changes in the -14 amendment:</p> <ul style="list-style-type: none">• Renames the governing body the <u>Equity Investment and Accountability Board</u> and positions it within the Governor’s DEI office.• Expands Board membership, prioritizes geographical diversity, makes Board positions volunteer rather than paid, and clarifies oversight role.• Funds two FTE in the Office of the Governor to support the work of the Board.
Cannabis equity licenses	
<p>Base bill: Directs OLCC to establish equity license program, with technical support, fee reductions, and expedited processing for equity licensees. Creates expanded license types, including delivery and on-premise consumption, that are temporarily available to equity licensees only. Equity licensees are businesses with 51% ownership by people who are Black, Indigenous, or Latinx; or who have a past marijuana conviction and a household income less than the area median income.</p>	<p>Changes in the -14 amendment:</p> <ul style="list-style-type: none">• More sideboards to on-premise consumption.<ul style="list-style-type: none">○ No consumption of edibles on-site.○ Smoking only outdoors with barriers so it can’t be viewed by the public (no changes to Clean Indoor Air Act).○ Requires an employee with a marijuana worker permit on site during operating hours (already required in statute).○ Can be co-located with licensed cannabis retailer or producer, with required physical separation (already in base bill).• Avoids disruption for local governments and existing delivery licensees.<ul style="list-style-type: none">○ Retains local governments’ authority—deliveries can only be made from and to jurisdictions that have adopted ordinances to allow for the establishment of marijuana retail.○ Fix to ensure local option taxes can still be collected and avoid double-taxation for cross-jurisdictional delivery.○ Ensures that existing retail licensees with a delivery permit can still deliver within their jurisdiction, and that existing delivery license-holders are grandfathered in to delivery license (HB 2519).• Other changes to equity licenses.<ul style="list-style-type: none">○ Expanded license types are exclusive to equity licensees for <i>six</i> years (ten years in base bill), but can be extended to ten by the Equity Board.○ Additional groups can be made eligible for equity licenses based on data showing past “impact and disruption” of harms of cannabis prohibition (e.g. arrest and imprisonment rates).○ Moves up beginning of program to March 2022 (from Aug. 2022).○ Clarifies that on-premise and delivery licensees can make sales.○ Technical changes to eligibility fee reductions, and delivery rules.

Expungement	
<p>Base bill: Leverages cannabis tax dollars to support free, automatic expungement for people with qualifying marijuana convictions. Directs OPDS to file motions to expunge and to notify the individual, retaining the current ability of a prosecuting attorney to contest an expungement.</p>	<p>Changes in the -14 amendment:</p> <ul style="list-style-type: none"> • Narrows expungement eligibility for cannabis-related child endangerment convictions. • Makes technical changes to give agencies clarity about process for contested motions.
Funding and Community Investment	
<p>Base bill: Establishes the \$100M+ Cannabis Equity Fund to invest in programs that rebuild wealth in Black and brown communities, using cannabis tax dollars. Directs existing OHA and School Fund cannabis tax dollars to focus on BIPOC health and education needs.</p>	<p>Changes in the -14 amendment:</p> <ul style="list-style-type: none"> • No longer redirects cannabis tax dollars from OSP—instead requires those funds to be prioritized by the agency for expungement-related costs. • Clarifies expenses the Cannabis Equity Fund can cover, specifies culturally competent services including education and childcare. • Technical fix to clarify that funds are being deposited in the Fund pre-allocation.

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