

Enrolled
Senate Bill 1564

Sponsored by Senator GOLDEN, Representative MARSH; Senators FREDERICK, KENNEMER, MANNING JR, TAYLOR, Representatives KROPF, LIVELY, MORGAN, SCHOUTEN, WALLAN, WILDE (Presession filed.)

CHAPTER

AN ACT

Relating to cannabis; creating new provisions; amending section 37, chapter 542, Oregon Laws 2021; and declaring an emergency.

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

SECTION 1. (1) **As used in this section:**

(a) **“Grow site” has the meaning given that term by the State Department of Agriculture by rule.**

(b) **“Industrial hemp” has the meaning given that term in ORS 571.269.**

(c) **“Research grower license” has the meaning given that term by the department by rule.**

(2)(a) **The governing body of a county that, pursuant to ORS 401.309, declares a state of emergency related to cannabis may notify the State Department of Agriculture of the declaration and request that the department deny the issuance of grower licenses under ORS 571.281, including licenses for applicants that submitted applications for grower licenses under ORS 571.281 on or after January 1, 2022, and prior to the effective date of this 2022 Act, for grow sites located in an area subject to the jurisdiction of the county.**

(b) **A declaration of a state of emergency described in paragraph (a) of this subsection must:**

(A) **Be for a duration that includes the entire growing season for industrial hemp, as determined by the department; and**

(B) **Include a statement that denying the issuance of grower licenses under ORS 571.281 as described in paragraph (a) of this subsection may alleviate the conditions giving rise to the declaration.**

(c) **The notification described in paragraph (a) of this subsection must be:**

(A) **Made annually for each year during which the governing body of a county declares a state of emergency as described in paragraph (a) of this subsection; and**

(B) **Received by the department:**

(i) **Not later than March 15, 2022, for the 2022 growing season; and**

(ii) **Not later than January 1, 2023, for the 2023 growing season.**

(3) **When the department receives the notice and request described in this section, the department shall deny the issuance of grower licenses under ORS 571.281 as described in subsection (2) of this section.**

(4) Notwithstanding subsection (3) of this section, the department may issue a grower license under ORS 571.281 for a grow site located in an area subject to the jurisdiction of a county described in subsection (2) of this section if the applicant held a valid grower license or registration under ORS 571.281 during the 2020 or 2021 calendar year.

(5) The department may adopt rules to carry out this section.

(6) This section does not apply to research grower licenses.

SECTION 2. Section 1 of this 2022 Act is repealed on June 30, 2023.

SECTION 3. Section 37, chapter 542, Oregon Laws 2021, is amended to read:

Sec. 37. (1) The Task Force on Cannabis-Derived Intoxicants **and Illegal Cannabis Production** is established.

(2) The task force consists of [15] **20** members appointed as follows:

(a) The President of the Senate shall appoint one member from among the members of the Senate;

(b) The Senate Minority Leader shall appoint one member from among the members of the Senate;

(c) The Speaker of the House of Representatives shall appoint one member from among the members of the House of Representatives;

(d) The House Minority Leader shall appoint one member from among the members of the House of Representatives; and

(e) The Governor shall appoint [11] **16** members as follows:

(A) One member who represents counties in this state;

(B) One member who represents cities in this state;

(C) One member who represents [law enforcement agencies] **sheriffs**;

(D) One member who represents industrial hemp growers registered or licensed under ORS 571.281;

(E) One member who represents industrial hemp handlers registered or licensed under ORS 571.281;

(F) The director of the Oregon State University Global Hemp Innovation Center, or a designee of the director;

(G) Two members who represent licensees, as defined in ORS [475B.015] **475C.009**;

(H) The Director of Agriculture, or a designee of the director;

(I) The director of the Oregon Health Authority Public Health Division, or a designee of the director; [and]

(J) The administrator of the Oregon Liquor [Control] **and Cannabis** Commission, or a designee of the administrator[.];

(K) One member who represents district attorneys;

(L) The Commissioner of the Bureau of Labor and Industries, or a designee of the commissioner;

(M) The Water Resources Director, or designee of the director;

(N) One member who represents the Department of Justice; and

(O) One member who represents the Department of State Police.

(3) The task force shall consider:

(a) Changes to state law to support the regulation of intoxicating cannabis-derived products and artificially derived cannabinoids;

(b) The consolidation of administrative functions related to the regulation of cannabis;

(c) Methods to prevent sales to minors of industrial hemp commodities or products that contain intoxicating cannabinoids;

(d) Regulation to address genetic engineering of cannabis;

(e) Testing requirements and methods of enforcement of testing requirements for cannabinoids, including artificially derived cannabinoids, to protect the public health and safety;

(f) Policy changes related to interstate commerce and transportation of cannabis;

(g) Changes to state regulation of cannabis as a result of federal laws; [and]

- (h) Changes to state law to address labor trafficking;
- (i) Changes to state law to address water theft and other unauthorized uses of water;
- (j) Changes to state law relating to the processing of search warrants in order to increase efficiency;

(k) Optimal funding sources and structure to enable the ongoing involvement of law enforcement agencies in combatting illegal cannabis production; and

[(h)] (L) Input from marijuana and industrial hemp industry members.

(4) A majority of the members of the task force constitutes a quorum for the transaction of business.

(5) Official action by the task force requires the approval of a majority of the members of the task force.

(6) The task force shall elect one of its members to serve as chairperson.

(7) If there is a vacancy for any cause, the appointing authority shall make an appointment to become immediately effective.

(8) The task force shall meet at times and places specified by the call of the chairperson or of a majority of the members of the task force.

(9) The task force may adopt rules necessary for the operation of the task force.

(10) Not later than June 30, 2022, the State Department of Agriculture shall report to the task force on the implementation of [section 18 of this 2021 Act] **ORS 571.312**.

(11)(a) The task force shall submit a report in the manner provided by ORS 192.245, and shall include initial findings and recommendations for legislation, to the interim committee of the Legislative Assembly related to economic development no later than December 31, 2021.

(b) The task force shall submit a report in the manner provided by ORS 192.245, and shall include final findings and recommendations for legislation, to the interim committee of the Legislative Assembly related to economic development no later than December 31, 2022. The report submitted under this paragraph must include a summary of the information submitted to the task force by the department under subsection (10) of this section.

(12) The Oregon Liquor [Control] and Cannabis Commission and the State Department of Agriculture, in consultation with the Oregon Health Authority, [and] the Department of Revenue, **the Water Resources Department and the Bureau of Labor and Industries**, shall provide staff support to the task force.

(13) Members of the task force who are not members of the Legislative Assembly are not entitled to compensation or reimbursement for expenses and serve as volunteers on the task force.

(14) All agencies of state government, as defined in ORS 174.111, are directed to assist the task force in the performance of the duties of the task force and, to the extent permitted by laws relating to confidentiality, to furnish information and advice the members of the task force consider necessary to perform their duties.

SECTION 4. This 2022 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2022 Act takes effect on its passage.

Passed by Senate February 17, 2022

.....
Lori L. Brocker, Secretary of Senate

.....
Peter Courtney, President of Senate

Passed by House February 28, 2022

.....
Dan Rayfield, Speaker of House

Received by Governor:

.....M,....., 2022

Approved:

.....M,....., 2022

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2022

.....
Shemia Fagan, Secretary of State