

House Bill 2515

Sponsored by Representative LIVELY (Presession filed.)

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**.

Allows marijuana producer, marijuana wholesaler, marijuana processor or marijuana retailer to use motion detection camera system at licensed premises. Allows, under specified conditions, minor children of owner of marijuana enterprise to be present at licensed premises where marijuana enterprise is located. Authorizes Oregon Liquor and Cannabis Commission to adopt rules to allow marijuana licensee to use electronic technology for age verification purposes.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to cannabis; creating new provisions; amending ORS 475C.217; and prescribing an effective
3 date.

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

5 **SECTION 1. Sections 2 and 3 of this 2023 Act are added to and made a part of ORS**
6 **475C.005 to 475C.525.**

7 **SECTION 2. (1) A licensee may use at the premises for which a license is issued under**
8 **ORS 475C.065, 475C.085, 475C.093 or 475C.097 a motion detection camera system that:**

9 (a) **Uses video analytics for monitoring purposes;**

10 (b) **Is capable of storing video recorded through the system; and**

11 (c) **Allows for searching and auditing of the video recorded through the system.**

12 (2) **A licensee may not be required to continuously record video or to store all data re-**
13 **corded through the motion detection camera system described in subsection (1) of this sec-**
14 **tion.**

15 (3) **The Oregon Liquor and Cannabis Commission may adopt rules to carry out this sec-**
16 **tion.**

17 **SECTION 3. (1)(a) An individual who is the owner of a marijuana enterprise at a premises**
18 **licensed under ORS 475C.065, 475C.085, 475C.093 or 475C.097 may allow the individual's chil-**
19 **dren who are under 21 years of age to be present at the licensed premises if the area of the**
20 **premises to which a child has access is physically separated, by a wall or similar barrier,**
21 **from the area of the premises where an adult use cannabis item is likely to be present.**

22 (b) **If the area of the premises to which a child described in this subsection has access**
23 **is reached only by passing through the area of the premises where an adult use cannabis**
24 **item is likely to be present, the individual described in this subsection:**

25 (A) **Shall escort the child to the area of the premises to which the child may have access;**
26 **and**

27 (B) **May not allow the child to enter the area of the premises where an adult use cannabis**
28 **item may be present while the marijuana enterprise for which a license was issued under**
29 **ORS 475C.065, 475C.085, 475C.093 or 475C.097 is actively operating.**

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 **(2) The Oregon Liquor and Cannabis Commission may adopt rules to carry out this sec-**
2 **tion.**

3 **SECTION 4.** ORS 475C.217 is amended to read:

4 475C.217. (1) Subject to subsection [(2)] **(3)** of this section **and except as provided pursuant**
5 **to subsection (2) of this section**, a licensee or licensee representative, before selling or providing
6 a marijuana item to another person, must require the person to produce one of the following pieces
7 of identification:

8 (a) The person's passport, issued by the United States or a foreign government.

9 (b) The person's driver license, issued by the State of Oregon or another state of the United
10 States.

11 (c) An identification card issued under ORS 807.400.

12 (d) A United States military identification card.

13 (e) An identification card issued by a federally recognized Indian tribe.

14 (f) Any other identification card issued by a state or territory of the United States that bears
15 a picture of the person, the name of the person, the person's date of birth and a physical description
16 of the person.

17 (g) The person's proof of participation in the United States Customs and Border Protection Se-
18 cure Electronic Network for Travelers Rapid Inspection program or NEXUS program, or successor
19 programs.

20 **(2) The Oregon Liquor and Cannabis Commission may adopt rules to allow a licensee or**
21 **licensee representative to use an age verification scanner, software, digital identification**
22 **technology or other electronic technology instead of performing a visual inspection of a piece**
23 **of identification described in subsection (1) of this section to verify the age of a person before**
24 **selling or providing a marijuana item to the person. Information obtained under this sub-**
25 **section may be used and retained, pursuant to rules adopted by the commission, only for the**
26 **purposes of verifying a person's age.**

27 **(3)** The [*Oregon Liquor and Cannabis*] commission may adopt rules exempting a licensee or
28 licensee representative from this section.

29 **SECTION 5.** (1) Sections 2 and 3 of this 2023 Act and the amendments to ORS 475C.217
30 by section 4 of this 2023 Act become operative on January 1, 2024.

31 **(2) The Oregon Liquor and Cannabis Commission may take any action before the opera-**
32 **tive date specified in subsection (1) of this section that is necessary to enable the commission**
33 **to exercise, on or after the operative date specified in subsection (1) of this section, all of**
34 **the duties, functions and powers conferred on the commission by sections 2 and 3 of this 2023**
35 **Act and the amendments to ORS 475C.217 by section 4 of this 2023 Act.**

36 **SECTION 6.** This 2023 Act takes effect on the 91st day after the date on which the 2023
37 regular session of the Eighty-second Legislative Assembly adjourns sine die.

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