

Requested by Representative LIVELY

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2516**

- 1 On page 1 of the printed bill, line 2, delete “475C.065, 475C.117,”.
- 2 Delete line 3 and insert “215.213, 215.283, 475C.117, 475C.177, 475C.205,  
3 475C.489, 475C.513 and 475C.674; and prescribing an effective date.”.
- 4 Delete lines 5 through 29 and delete pages 2 through 6 and insert:
- 5 **“SECTION 1. Section 2 of this 2023 Act is added to and made a part**  
6 **of ORS 215.203 to 215.311.**
- 7 **“SECTION 2. (1) As used in this section:**
- 8 **“(a) ‘Marijuana’ has the meaning given that term in ORS 475C.009.**
- 9 **“(b) ‘Marijuana experience center’ means an entity established un-**  
10 **der this section at a premises licensed under ORS 475C.065 or 475C.085.**
- 11 **“(c) ‘Marijuana items’ has the meaning given that term in ORS**  
12 **475C.009.**
- 13 **“(d) ‘Marijuana processor’ means a marijuana processor that holds**  
14 **a license issued under ORS 475C.085.**
- 15 **“(e) ‘Marijuana producer’ means a marijuana producer that holds**  
16 **a license issued under ORS 475C.065.**
- 17 **“(f) ‘Marijuana retailer’ means a marijuana retailer that holds a**  
18 **license issued under ORS 475C.097.**
- 19 **“(2) A marijuana producer, at a premises licensed under ORS**  
20 **475C.065 and where marijuana is produced, or a marijuana processor,**  
21 **at a premises licensed under ORS 475C.085 and where marijuana is**

1 processed, may operate a marijuana experience center as a permitted  
2 use on land zoned for exclusive farm use under ORS 215.213 (1)(cc) and  
3 215.283 (1)(aa) or on land zoned for mixed farm and forest use. The  
4 following activities may be conducted at a marijuana experience cen-  
5 ter:

6 “(a) Tours of the licensed premises, including of any greenhouses  
7 or other facilities used for marijuana production or processing;

8 “(b) Subject to subsection (4) of this section, sampling of marijuana  
9 items by patrons if:

10 “(A) The total amount sampled does not exceed one gram per pa-  
11 tron; and

12 “(B) The marijuana items sampled are:

13 “(i) If the premises is licensed under ORS 475C.065, produced by the  
14 marijuana producer or processed using marijuana produced by the  
15 marijuana producer; or

16 “(ii) If the premises is licensed under ORS 475C.085, processed by the  
17 marijuana processor;

18 “(c) Educational activities directly related to marijuana production  
19 and processing; and

20 “(d) Subject to subsection (5) of this section, the marketing and sale  
21 of items related to the promotion of:

22 “(A) If the premises is licensed under ORS 475C.065, marijuana  
23 produced by the marijuana producer or marijuana items processed  
24 using marijuana produced by the marijuana producer; or

25 “(B) If the premises is licensed under ORS 475C.085, marijuana  
26 items processed by the marijuana processor.

27 “(3) A marijuana producer or marijuana processor shall, prior to  
28 allowing a patron to enter the licensed premises, verify that the patron  
29 is at least 21 years of age.

30 “(4)(a) The marijuana producer or marijuana processor shall track,

1 using the system developed and maintained under ORS 475C.177, a  
2 marijuana item sample offered under subsection (2) of this section.

3 “(b) A patron may consume a marijuana item sample offered under  
4 subsection (2) of this section at the marijuana experience center pro-  
5 vided the consumption does not violate ORS 433.835 to 433.875.

6 “(5)(a) Marijuana items may be sold or offered for sale at retail at  
7 a marijuana experience center by a marijuana retailer pursuant to this  
8 subsection and rules adopted by the Oregon Liquor and Cannabis  
9 Commission.

10 “(b) If the premises is licensed under ORS 475C.065, a marijuana  
11 retailer may sell, or offer for sale, marijuana items processed using  
12 marijuana produced by the marijuana producer.

13 “(c) If the premises is licensed under ORS 475C.085, a marijuana  
14 retailer may sell marijuana items processed by the marijuana  
15 processor.

16 “(6) A marijuana experience center operating under this section  
17 shall provide parking for all activities or uses of the lot, parcel or tract  
18 on which the marijuana experience center is established.

19 “(7) A local government with land use jurisdiction over the site of  
20 a marijuana experience center shall ensure that the premises complies  
21 with:

22 “(a) Local criteria regarding floodplains, geologic hazards, the  
23 Willamette River Greenway, solar access and airport safety;

24 “(b) Regulations of general applicability for the public health and  
25 safety; and

26 “(c) Regulations for resource protection acknowledged to comply  
27 with any statewide goal respecting open spaces, scenic and historic  
28 areas and natural resources.

29 “(8)(a) For the purpose of limiting demonstrated conflicts with ac-  
30 cepted farm and forest practices on adjacent lands, a local government

1 with land use jurisdiction over the site of a marijuana experience  
2 center shall:

3 “(A) Except as provided in paragraph (b) of this subsection, estab-  
4 lish a setback of at least 100 feet from all property lines for the  
5 marijuana experience center and all public gathering places; and

6 “(B) Require marijuana experience centers to provide direct road  
7 access and internal circulation for the marijuana experience center  
8 and all public gathering places.

9 “(b) A local government may allow a setback of less than 100 feet  
10 by granting a marijuana experience center an adjustment or variance  
11 to the requirement described in paragraph (a)(A) of this subsection.

12 “(9) In consultation with the commission, the Department of Land  
13 Conservation and Development may adopt rules to carry out this sec-  
14 tion.

15 “SECTION 3. ORS 215.213 is amended to read:

16 “215.213. (1) In counties that have adopted marginal lands provisions un-  
17 der ORS 197.247 (1991 Edition), the following uses may be established in any  
18 area zoned for exclusive farm use:

19 “(a) Churches and cemeteries in conjunction with churches.

20 “(b) The propagation or harvesting of a forest product.

21 “(c) Utility facilities necessary for public service, including wetland waste  
22 treatment systems but not including commercial facilities for the purpose of  
23 generating electrical power for public use by sale or transmission towers  
24 over 200 feet in height. A utility facility necessary for public service may  
25 be established as provided in:

26 “(A) ORS 215.275; or

27 “(B) If the utility facility is an associated transmission line, as defined  
28 in ORS 215.274 and 469.300.

29 “(d) A dwelling on real property used for farm use if the dwelling is oc-  
30 cupied by a relative of the farm operator or the farm operator’s spouse,

1 which means a child, parent, stepparent, grandchild, grandparent,  
2 stepgrandparent, sibling, stepsibling, niece, nephew or first cousin of either,  
3 if the farm operator does or will require the assistance of the relative in the  
4 management of the farm use and the dwelling is located on the same lot or  
5 parcel as the dwelling of the farm operator. Notwithstanding ORS 92.010 to  
6 92.192 or the minimum lot or parcel size requirements under ORS 215.780, if  
7 the owner of a dwelling described in this paragraph obtains construction fi-  
8 nancing or other financing secured by the dwelling and the secured party  
9 forecloses on the dwelling, the secured party may also foreclose on the  
10 homesite, as defined in ORS 308A.250, and the foreclosure shall operate as  
11 a partition of the homesite to create a new parcel.

12 “(e) Nonresidential buildings customarily provided in conjunction with  
13 farm use.

14 “(f) Subject to ORS 215.279, primary or accessory dwellings customarily  
15 provided in conjunction with farm use. For a primary dwelling, the dwelling  
16 must be on a lot or parcel that is managed as part of a farm operation and  
17 is not smaller than the minimum lot size in a farm zone with a minimum lot  
18 size acknowledged under ORS 197.251.

19 “(g) Operations for the exploration for and production of geothermal re-  
20 sources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005,  
21 including the placement and operation of compressors, separators and other  
22 customary production equipment for an individual well adjacent to the  
23 wellhead. Any activities or construction relating to such operations shall not  
24 be a basis for an exception under ORS 197.732 (2)(a) or (b).

25 “(h) Operations for the exploration for minerals as defined by ORS  
26 517.750. Any activities or construction relating to such operations shall not  
27 be a basis for an exception under ORS 197.732 (2)(a) or (b).

28 “(i) One manufactured dwelling or recreational vehicle, or the temporary  
29 residential use of an existing building, in conjunction with an existing  
30 dwelling as a temporary use for the term of a hardship suffered by the ex-

1 isting resident or a relative of the resident. Within three months of the end  
2 of the hardship, the manufactured dwelling or recreational vehicle shall be  
3 removed or demolished or, in the case of an existing building, the building  
4 shall be removed, demolished or returned to an allowed nonresidential use.  
5 The governing body or its designee shall provide for periodic review of the  
6 hardship claimed under this paragraph. A temporary residence approved un-  
7 der this paragraph is not eligible for replacement under paragraph (q) of this  
8 subsection.

9 “(j) Climbing and passing lanes within the right of way existing as of July  
10 1, 1987.

11 “(k) Reconstruction or modification of public roads and highways, in-  
12 cluding the placement of utility facilities overhead and in the subsurface of  
13 public roads and highways along the public right of way, but not including  
14 the addition of travel lanes, where no removal or displacement of buildings  
15 would occur, or no new land parcels result.

16 “(L) Temporary public road and highway detours that will be abandoned  
17 and restored to original condition or use at such time as no longer needed.

18 “(m) Minor betterment of existing public road and highway related facil-  
19 ities, such as maintenance yards, weigh stations and rest areas, within right  
20 of way existing as of July 1, 1987, and contiguous public-owned property  
21 utilized to support the operation and maintenance of public roads and high-  
22 ways.

23 “(n) A replacement dwelling to be used in conjunction with farm use if  
24 the existing dwelling has been listed in a county inventory as historic prop-  
25 erty as defined in ORS 358.480.

26 “(o) Creation, restoration or enhancement of wetlands.

27 “(p) A winery, as described in ORS 215.452 or 215.453.

28 “(q) Alteration, restoration or replacement of a lawfully established  
29 dwelling, as described in ORS 215.291.

30 “(r) Farm stands if:

1       “(A) The structures are designed and used for the sale of farm crops or  
2 livestock grown on the farm operation, or grown on the farm operation and  
3 other farm operations in the local agricultural area, including the sale of  
4 retail incidental items and fee-based activity to promote the sale of farm  
5 crops or livestock sold at the farm stand if the annual sale of incidental  
6 items and fees from promotional activity do not make up more than 25 per-  
7 cent of the total annual sales of the farm stand; and

8       “(B) The farm stand does not include structures designed for occupancy  
9 as a residence or for activity other than the sale of farm crops or livestock  
10 and does not include structures for banquets, public gatherings or public  
11 entertainment.

12       “(s) An armed forces reserve center, if the center is within one-half mile  
13 of a community college. For purposes of this paragraph, ‘armed forces reserve  
14 center’ includes an armory or National Guard support facility.

15       “(t) A site for the takeoff and landing of model aircraft, including such  
16 buildings or facilities as may reasonably be necessary. Buildings or facilities  
17 shall not be more than 500 square feet in floor area or placed on a permanent  
18 foundation unless the building or facility preexisted the use approved under  
19 this paragraph. The site shall not include an aggregate surface or hard sur-  
20 face area unless the surface preexisted the use approved under this para-  
21 graph. An owner of property used for the purpose authorized in this  
22 paragraph may charge a person operating the use on the property rent for  
23 the property. An operator may charge users of the property a fee that does  
24 not exceed the operator’s cost to maintain the property, buildings and facil-  
25 ities. As used in this paragraph, ‘model aircraft’ means a small-scale version  
26 of an airplane, glider, helicopter, dirigible or balloon that is used or intended  
27 to be used for flight and is controlled by radio, lines or design by a person  
28 on the ground.

29       “(u) A facility for the processing of farm products as described in ORS  
30 215.255.

1       “(v) Fire service facilities providing rural fire protection services.

2       “(w) Irrigation reservoirs, canals, delivery lines and those structures and  
3 accessory operational facilities, not including parks or other recreational  
4 structures and facilities, associated with a district as defined in ORS 540.505.

5       “(x) Utility facility service lines. Utility facility service lines are utility  
6 lines and accessory facilities or structures that end at the point where the  
7 utility service is received by the customer and that are located on one or  
8 more of the following:

9       “(A) A public right of way;

10       “(B) Land immediately adjacent to a public right of way, provided the  
11 written consent of all adjacent property owners has been obtained; or

12       “(C) The property to be served by the utility.

13       “(y) Subject to the issuance of a license, permit or other approval by the  
14 Department of Environmental Quality under ORS 454.695, 459.205, 468B.050,  
15 468B.053 or 468B.055, or in compliance with rules adopted under ORS  
16 468B.095, and as provided in ORS 215.246 to 215.251, the land application of  
17 reclaimed water, agricultural or industrial process water or biosolids, or the  
18 onsite treatment of septage prior to the land application of biosolids, for  
19 agricultural, horticultural or silvicultural production, or for irrigation in  
20 connection with a use allowed in an exclusive farm use zone under this  
21 chapter. For the purposes of this paragraph, onsite treatment of septage prior  
22 to the land application of biosolids is limited to treatment using treatment  
23 facilities that are portable, temporary and transportable by truck trailer, as  
24 defined in ORS 801.580, during a period of time within which land applica-  
25 tion of biosolids is authorized under the license, permit or other approval.

26       “(z) Dog training classes or testing trials, which may be conducted out-  
27 doors or in farm buildings in existence on January 1, 2019, when:

28       “(A) The number of dogs participating in training does not exceed 10 dogs  
29 per training class and the number of training classes to be held on-site does  
30 not exceed six per day; and



1 “(B) The number of dogs participating in a testing trial does not exceed  
2 60 and the number of testing trials to be conducted on-site is limited to four  
3 or fewer trials per calendar year.

4 “(aa) A cider business, as described in ORS 215.451.

5 “(bb) A farm brewery, as described in ORS 215.449.

6 “(cc) **A marijuana experience center, as described in section 2 of**  
7 **this 2023 Act.**

8 “(2) In counties that have adopted marginal lands provisions under ORS  
9 197.247 (1991 Edition), the following uses may be established in any area  
10 zoned for exclusive farm use subject to ORS 215.296:

11 “(a) A primary dwelling in conjunction with farm use or the propagation  
12 or harvesting of a forest product on a lot or parcel that is managed as part  
13 of a farm operation or woodlot if the farm operation or woodlot:

14 “(A) Consists of 20 or more acres; and

15 “(B) Is not smaller than the average farm or woodlot in the county  
16 producing at least \$2,500 in annual gross income from the crops, livestock  
17 or forest products to be raised on the farm operation or woodlot.

18 “(b) A primary dwelling in conjunction with farm use or the propagation  
19 or harvesting of a forest product on a lot or parcel that is managed as part  
20 of a farm operation or woodlot smaller than required under paragraph (a)  
21 of this subsection, if the lot or parcel:

22 “(A) Has produced at least \$20,000 in annual gross farm income in two  
23 consecutive calendar years out of the three calendar years before the year  
24 in which the application for the dwelling was made or is planted in peren-  
25 nials capable of producing upon harvest an average of at least \$20,000 in  
26 annual gross farm income; or

27 “(B) Is a woodlot capable of producing an average over the growth cycle  
28 of \$20,000 in gross annual income.

29 “(c) Commercial activities that are in conjunction with farm use, includ-  
30 ing the processing of farm crops into biofuel not permitted under ORS

1 215.203 (2)(b)(K) or 215.255.

2 “(d) Operations conducted for:

3 “(A) Mining and processing of geothermal resources as defined by ORS  
4 522.005 and oil and gas as defined by ORS 520.005, not otherwise permitted  
5 under subsection (1)(g) of this section;

6 “(B) Mining, crushing or stockpiling of aggregate and other mineral and  
7 other subsurface resources subject to ORS 215.298;

8 “(C) Processing, as defined by ORS 517.750, of aggregate into asphalt or  
9 portland cement; and

10 “(D) Processing of other mineral resources and other subsurface re-  
11 sources.

12 “(e) Community centers owned by a governmental agency or a nonprofit  
13 community organization and operated primarily by and for residents of the  
14 local rural community, hunting and fishing preserves, public and private  
15 parks, playgrounds and campgrounds. Subject to the approval of the county  
16 governing body or its designee, a private campground may provide yurts for  
17 overnight camping. No more than one-third or a maximum of 10 campsites,  
18 whichever is smaller, may include a yurt. The yurt shall be located on the  
19 ground or on a wood floor with no permanent foundation. Upon request of  
20 a county governing body, the Land Conservation and Development Commis-  
21 sion may provide by rule for an increase in the number of yurts allowed on  
22 all or a portion of the campgrounds in a county if the commission determines  
23 that the increase will comply with the standards described in ORS 215.296  
24 (1). A public park or campground may be established as provided under ORS  
25 195.120. As used in this paragraph, ‘yurt’ means a round, domed shelter of  
26 cloth or canvas on a collapsible frame with no plumbing, sewage disposal  
27 hookup or internal cooking appliance.

28 “(f) Golf courses on land determined not to be high-value farmland as  
29 defined in ORS 195.300.

30 “(g) Commercial utility facilities for the purpose of generating power for

1 public use by sale. If the area zoned for exclusive farm use is high-value  
2 farmland, a photovoltaic solar power generation facility may be established  
3 as a commercial utility facility as provided in ORS 215.447. A renewable  
4 energy facility as defined in ORS 215.446 may be established as a commercial  
5 utility facility.

6 “(h) Personal-use airports for airplanes and helicopter pads, including  
7 associated hangar, maintenance and service facilities. A personal-use airport  
8 as used in this section means an airstrip restricted, except for aircraft  
9 emergencies, to use by the owner, and, on an infrequent and occasional basis,  
10 by invited guests, and by commercial aviation activities in connection with  
11 agricultural operations. No aircraft may be based on a personal-use airport  
12 other than those owned or controlled by the owner of the airstrip. Exceptions  
13 to the activities permitted under this definition may be granted through  
14 waiver action by the Oregon Department of Aviation in specific instances.  
15 A personal-use airport lawfully existing as of September 13, 1975, shall con-  
16 tinue to be permitted subject to any applicable rules of the Oregon Depart-  
17 ment of Aviation.

18 “(i) A facility for the primary processing of forest products, provided that  
19 such facility is found to not seriously interfere with accepted farming prac-  
20 tices and is compatible with farm uses described in ORS 215.203 (2). Such a  
21 facility may be approved for a one-year period which is renewable. These  
22 facilities are intended to be only portable or temporary in nature. The pri-  
23 mary processing of a forest product, as used in this section, means the use  
24 of a portable chipper or stud mill or other similar methods of initial treat-  
25 ment of a forest product in order to enable its shipment to market. Forest  
26 products, as used in this section, means timber grown upon a parcel of land  
27 or contiguous land where the primary processing facility is located.

28 “(j) A site for the disposal of solid waste approved by the governing body  
29 of a city or county or both and for which a permit has been granted under  
30 ORS 459.245 by the Department of Environmental Quality together with

1 equipment, facilities or buildings necessary for its operation.

2 “(k)(A) Commercial dog boarding kennels; or

3 “(B) Dog training classes or testing trials that cannot be established un-  
4 der subsection (1)(z) of this section.

5 “(L) Residential homes as defined in ORS 197.660, in existing dwellings.

6 “(m) The propagation, cultivation, maintenance and harvesting of aquatic  
7 species that are not under the jurisdiction of the State Fish and Wildlife  
8 Commission or insect species. Insect species shall not include any species  
9 under quarantine by the State Department of Agriculture or the United  
10 States Department of Agriculture. The county shall provide notice of all  
11 applications under this paragraph to the State Department of Agriculture.  
12 Notice shall be provided in accordance with the county’s land use regu-  
13 lations but shall be mailed at least 20 calendar days prior to any adminis-  
14 trative decision or initial public hearing on the application.

15 “(n) Home occupations as provided in ORS 215.448.

16 “(o) Transmission towers over 200 feet in height.

17 “(p) Construction of additional passing and travel lanes requiring the  
18 acquisition of right of way but not resulting in the creation of new land  
19 parcels.

20 “(q) Reconstruction or modification of public roads and highways involv-  
21 ing the removal or displacement of buildings but not resulting in the cre-  
22 ation of new land parcels.

23 “(r) Improvement of public road and highway related facilities such as  
24 maintenance yards, weigh stations and rest areas, where additional property  
25 or right of way is required but not resulting in the creation of new land  
26 parcels.

27 “(s) A destination resort that is approved consistent with the require-  
28 ments of any statewide planning goal relating to the siting of a destination  
29 resort.

30 “(t) Room and board arrangements for a maximum of five unrelated per-

1 sons in existing residences.

2 “(u) A living history museum related to resource based activities owned  
3 and operated by a governmental agency or a local historical society, together  
4 with limited commercial activities and facilities that are directly related to  
5 the use and enjoyment of the museum and located within authentic buildings  
6 of the depicted historic period or the museum administration building, if  
7 areas other than an exclusive farm use zone cannot accommodate the mu-  
8 seum and related activities or if the museum administration buildings and  
9 parking lot are located within one quarter mile of the metropolitan urban  
10 growth boundary. As used in this paragraph:

11 “(A) ‘Living history museum’ means a facility designed to depict and in-  
12 terpret everyday life and culture of some specific historic period using au-  
13 thentic buildings, tools, equipment and people to simulate past activities and  
14 events; and

15 “(B) ‘Local historical society’ means the local historical society, recog-  
16 nized as such by the county governing body and organized under ORS chap-  
17 ter 65.

18 “(v) Operations for the extraction and bottling of water.

19 “(w) An aerial fireworks display business that has been in continuous  
20 operation at its current location within an exclusive farm use zone since  
21 December 31, 1986, and possesses a wholesaler’s permit to sell or provide  
22 fireworks.

23 “(x) A landscape contracting business, as defined in ORS 671.520, or a  
24 business providing landscape architecture services, as described in ORS  
25 671.318, if the business is pursued in conjunction with the growing and  
26 marketing of nursery stock on the land that constitutes farm use.

27 “(y) Public or private schools for kindergarten through grade 12, includ-  
28 ing all buildings essential to the operation of a school, primarily for resi-  
29 dents of the rural area in which the school is located.

30 “(z) Equine and equine-affiliated therapeutic and counseling activities,

1 provided:

2 “(A) The activities are conducted in existing buildings that were lawfully  
3 constructed on the property before January 1, 2019, or in new buildings that  
4 are accessory, incidental and subordinate to the farm use on the tract; and

5 “(B) All individuals conducting therapeutic or counseling activities are  
6 acting within the proper scope of any licenses required by the state.

7 “(aa) Child care facilities, preschool recorded programs or school-age re-  
8 corded programs that are:

9 “(A) Authorized under ORS 329A.250 to 329A.450;

10 “(B) Primarily for the children of residents and workers of the rural area  
11 in which the facility or program is located; and

12 “(C) Colocated with a community center or a public or private school al-  
13 lowed under this subsection.

14 “(3) In counties that have adopted marginal lands provisions under ORS  
15 197.247 (1991 Edition), a single-family residential dwelling not provided in  
16 conjunction with farm use may be established on a lot or parcel with soils  
17 predominantly in capability classes IV through VIII as determined by the  
18 Agricultural Capability Classification System in use by the United States  
19 Department of Agriculture Soil Conservation Service on October 15, 1983. A  
20 proposed dwelling is subject to approval of the governing body or its  
21 designee in any area zoned for exclusive farm use upon written findings  
22 showing all of the following:

23 “(a) The dwelling or activities associated with the dwelling will not force  
24 a significant change in or significantly increase the cost of accepted farming  
25 practices on nearby lands devoted to farm use.

26 “(b) The dwelling is situated upon generally unsuitable land for the pro-  
27 duction of farm crops and livestock, considering the terrain, adverse soil or  
28 land conditions, drainage and flooding, location and size of the tract. A lot  
29 or parcel shall not be considered unsuitable solely because of its size or lo-  
30 cation if it can reasonably be put to farm use in conjunction with other land.

1 “(c) Complies with such other conditions as the governing body or its  
2 designee considers necessary.

3 “(4) In counties that have adopted marginal lands provisions under ORS  
4 197.247 (1991 Edition), one single-family dwelling, not provided in conjunc-  
5 tion with farm use, may be established in any area zoned for exclusive farm  
6 use on a lot or parcel described in subsection (7) of this section that is not  
7 larger than three acres upon written findings showing:

8 “(a) The dwelling or activities associated with the dwelling will not force  
9 a significant change in or significantly increase the cost of accepted farming  
10 practices on nearby lands devoted to farm use;

11 “(b) If the lot or parcel is located within the Willamette River Greenway,  
12 a floodplain or a geological hazard area, the dwelling complies with condi-  
13 tions imposed by local ordinances relating specifically to the Willamette  
14 River Greenway, floodplains or geological hazard areas, whichever is appli-  
15 cable; and

16 “(c) The dwelling complies with other conditions considered necessary by  
17 the governing body or its designee.

18 “(5) Upon receipt of an application for a permit under subsection (4) of  
19 this section, the governing body shall notify:

20 “(a) Owners of land that is within 250 feet of the lot or parcel on which  
21 the dwelling will be established; and

22 “(b) Persons who have requested notice of such applications and who have  
23 paid a reasonable fee imposed by the county to cover the cost of such notice.

24 “(6) The notice required in subsection (5) of this section shall specify that  
25 persons have 15 days following the date of postmark of the notice to file a  
26 written objection on the grounds only that the dwelling or activities associ-  
27 ated with it would force a significant change in or significantly increase the  
28 cost of accepted farming practices on nearby lands devoted to farm use. If  
29 no objection is received, the governing body or its designee shall approve or  
30 disapprove the application. If an objection is received, the governing body

1 shall set the matter for hearing in the manner prescribed in ORS 215.402 to  
2 215.438. The governing body may charge the reasonable costs of the notice  
3 required by subsection (5)(a) of this section to the applicant for the permit  
4 requested under subsection (4) of this section.

5 “(7) Subsection (4) of this section applies to a lot or parcel lawfully cre-  
6 ated between January 1, 1948, and July 1, 1983. For the purposes of this  
7 section:

8 “(a) Only one lot or parcel exists if:

9 “(A) A lot or parcel described in this section is contiguous to one or more  
10 lots or parcels described in this section; and

11 “(B) On July 1, 1983, greater than possessory interests are held in those  
12 contiguous lots, parcels or lots and parcels by the same person, spouses or  
13 a single partnership or business entity, separately or in tenancy in common.

14 “(b) ‘Contiguous’ means lots, parcels or lots and parcels that have a  
15 common boundary, including but not limited to, lots, parcels or lots and  
16 parcels separated only by a public road.

17 “(8) A person who sells or otherwise transfers real property in an exclu-  
18 sive farm use zone may retain a life estate in a dwelling on that property  
19 and in a tract of land under and around the dwelling.

20 “(9) No final approval of a nonfarm use under this section shall be given  
21 unless any additional taxes imposed upon the change in use have been paid.

22 “(10) Roads, highways and other transportation facilities and improve-  
23 ments not allowed under subsections (1) and (2) of this section may be es-  
24 tablished, subject to the approval of the governing body or its designee, in  
25 areas zoned for exclusive farm use subject to:

26 “(a) Adoption of an exception to the goal related to agricultural lands and  
27 to any other applicable goal with which the facility or improvement does not  
28 comply; or

29 “(b) ORS 215.296 for those uses identified by rule of the Land Conserva-  
30 tion and Development Commission as provided in section 3, chapter 529,



1 Oregon Laws 1993.

2 “(11) The following agri-tourism and other commercial events or activities  
3 that are related to and supportive of agriculture may be established in any  
4 area zoned for exclusive farm use:

5 “(a) A county may authorize a single agri-tourism or other commercial  
6 event or activity on a tract in a calendar year by an authorization that is  
7 personal to the applicant and is not transferred by, or transferable with, a  
8 conveyance of the tract, if the agri-tourism or other commercial event or  
9 activity meets any local standards that apply and:

10 “(A) The agri-tourism or other commercial event or activity is incidental  
11 and subordinate to existing farm use on the tract;

12 “(B) The duration of the agri-tourism or other commercial event or ac-  
13 tivity does not exceed 72 consecutive hours;

14 “(C) The maximum attendance at the agri-tourism or other commercial  
15 event or activity does not exceed 500 people;

16 “(D) The maximum number of motor vehicles parked at the site of the  
17 agri-tourism or other commercial event or activity does not exceed 250 ve-  
18 hicles;

19 “(E) The agri-tourism or other commercial event or activity complies with  
20 ORS 215.296;

21 “(F) The agri-tourism or other commercial event or activity occurs out-  
22 doors, in temporary structures, or in existing permitted structures, subject  
23 to health and fire and life safety requirements; and

24 “(G) The agri-tourism or other commercial event or activity complies with  
25 conditions established for:

26 “(i) Planned hours of operation;

27 “(ii) Access, egress and parking;

28 “(iii) A traffic management plan that identifies the projected number of  
29 vehicles and any anticipated use of public roads; and

30 “(iv) Sanitation and solid waste.

1       “(b) In the alternative to paragraphs (a) and (c) of this subsection, a  
2 county may authorize, through an expedited, single-event license, a single  
3 agri-tourism or other commercial event or activity on a tract in a calendar  
4 year by an expedited, single-event license that is personal to the applicant  
5 and is not transferred by, or transferable with, a conveyance of the tract. A  
6 decision concerning an expedited, single-event license is not a land use de-  
7 cision, as defined in ORS 197.015. To approve an expedited, single-event li-  
8 cense, the governing body of a county or its designee must determine that  
9 the proposed agri-tourism or other commercial event or activity meets any  
10 local standards that apply, and the agri-tourism or other commercial event  
11 or activity:

12       “(A) Must be incidental and subordinate to existing farm use on the tract;

13       “(B) May not begin before 6 a.m. or end after 10 p.m.;

14       “(C) May not involve more than 100 attendees or 50 vehicles;

15       “(D) May not include the artificial amplification of music or voices before  
16 8 a.m. or after 8 p.m.;

17       “(E) May not require or involve the construction or use of a new perma-  
18 nent structure in connection with the agri-tourism or other commercial event  
19 or activity;

20       “(F) Must be located on a tract of at least 10 acres unless the owners or  
21 residents of adjoining properties consent, in writing, to the location; and

22       “(G) Must comply with applicable health and fire and life safety require-  
23 ments.

24       “(c) In the alternative to paragraphs (a) and (b) of this subsection, a  
25 county may authorize up to six agri-tourism or other commercial events or  
26 activities on a tract in a calendar year by a limited use permit that is per-  
27 sonal to the applicant and is not transferred by, or transferable with, a  
28 conveyance of the tract. The agri-tourism or other commercial events or  
29 activities must meet any local standards that apply, and the agri-tourism or  
30 other commercial events or activities:

1       “(A) Must be incidental and subordinate to existing farm use on the tract;

2       “(B) May not, individually, exceed a duration of 72 consecutive hours;

3       “(C) May not require that a new permanent structure be built, used or  
4 occupied in connection with the agri-tourism or other commercial events or  
5 activities;

6       “(D) Must comply with ORS 215.296;

7       “(E) May not, in combination with other agri-tourism or other commercial  
8 events or activities authorized in the area, materially alter the stability of  
9 the land use pattern in the area; and

10       “(F) Must comply with conditions established for:

11       “(i) The types of agri-tourism or other commercial events or activities  
12 that are authorized during each calendar year, including the number and  
13 duration of the agri-tourism or other commercial events and activities, the  
14 anticipated daily attendance and the hours of operation;

15       “(ii) The location of existing structures and the location of proposed  
16 temporary structures to be used in connection with the agri-tourism or other  
17 commercial events or activities;

18       “(iii) The location of access and egress and parking facilities to be used  
19 in connection with the agri-tourism or other commercial events or activities;

20       “(iv) Traffic management, including the projected number of vehicles and  
21 any anticipated use of public roads; and

22       “(v) Sanitation and solid waste.

23       “(d) In addition to paragraphs (a) to (c) of this subsection, a county may  
24 authorize agri-tourism or other commercial events or activities that occur  
25 more frequently or for a longer period or that do not otherwise comply with  
26 paragraphs (a) to (c) of this subsection if the agri-tourism or other commer-  
27 cial events or activities comply with any local standards that apply and the  
28 agri-tourism or other commercial events or activities:

29       “(A) Are incidental and subordinate to existing commercial farm use of  
30 the tract and are necessary to support the commercial farm uses or the

1 commercial agricultural enterprises in the area;

2 “(B) Comply with the requirements of paragraph (c)(C), (D), (E) and (F)  
3 of this subsection;

4 “(C) Occur on a lot or parcel that complies with the acknowledged mini-  
5 mum lot or parcel size; and

6 “(D) Do not exceed 18 events or activities in a calendar year.

7 “(12) A holder of a permit authorized by a county under subsection (11)(d)  
8 of this section must request review of the permit at four-year intervals. Upon  
9 receipt of a request for review, the county shall:

10 “(a) Provide public notice and an opportunity for public comment as part  
11 of the review process; and

12 “(b) Limit its review to events and activities authorized by the permit,  
13 conformance with conditions of approval required by the permit and the  
14 standards established by subsection (11)(d) of this section.

15 “(13) For the purposes of subsection (11) of this section:

16 “(a) A county may authorize the use of temporary structures established  
17 in connection with the agri-tourism or other commercial events or activities  
18 authorized under subsection (11) of this section. However, the temporary  
19 structures must be removed at the end of the agri-tourism or other event or  
20 activity. The county may not approve an alteration to the land in connection  
21 with an agri-tourism or other commercial event or activity authorized under  
22 subsection (11) of this section, including, but not limited to, grading, filling  
23 or paving.

24 “(b) The county may issue the limited use permits authorized by sub-  
25 section (11)(c) of this section for two calendar years. When considering an  
26 application for renewal, the county shall ensure compliance with the pro-  
27 visions of subsection (11)(c) of this section, any local standards that apply  
28 and conditions that apply to the permit or to the agri-tourism or other  
29 commercial events or activities authorized by the permit.

30 “(c) The authorizations provided by subsection (11) of this section are in

1 addition to other authorizations that may be provided by law, except that  
2 ‘outdoor mass gathering’ and ‘other gathering,’ as those terms are used in  
3 ORS 197.015 (10)(d), do not include agri-tourism or other commercial events  
4 and activities.

5 **“SECTION 4.** ORS 215.283 is amended to read:

6 “215.283. (1) The following uses may be established in any area zoned for  
7 exclusive farm use:

8 “(a) Churches and cemeteries in conjunction with churches.

9 “(b) The propagation or harvesting of a forest product.

10 “(c) Utility facilities necessary for public service, including wetland waste  
11 treatment systems but not including commercial facilities for the purpose of  
12 generating electrical power for public use by sale or transmission towers  
13 over 200 feet in height. A utility facility necessary for public service may  
14 be established as provided in:

15 “(A) ORS 215.275; or

16 “(B) If the utility facility is an associated transmission line, as defined  
17 in ORS 215.274 and 469.300.

18 “(d) A dwelling on real property used for farm use if the dwelling is oc-  
19 cupied by a relative of the farm operator or the farm operator’s spouse,  
20 which means a child, parent, stepparent, grandchild, grandparent,  
21 stepgrandparent, sibling, stepsibling, niece, nephew or first cousin of either,  
22 if the farm operator does or will require the assistance of the relative in the  
23 management of the farm use and the dwelling is located on the same lot or  
24 parcel as the dwelling of the farm operator. Notwithstanding ORS 92.010 to  
25 92.192 or the minimum lot or parcel size requirements under ORS 215.780, if  
26 the owner of a dwelling described in this paragraph obtains construction fi-  
27 nancing or other financing secured by the dwelling and the secured party  
28 forecloses on the dwelling, the secured party may also foreclose on the  
29 homesite, as defined in ORS 308A.250, and the foreclosure shall operate as  
30 a partition of the homesite to create a new parcel.

1       “(e) Subject to ORS 215.279, primary or accessory dwellings and other  
2 buildings customarily provided in conjunction with farm use.

3       “(f) Operations for the exploration for and production of geothermal re-  
4 sources as defined by ORS 522.005 and oil and gas as defined by ORS 520.005,  
5 including the placement and operation of compressors, separators and other  
6 customary production equipment for an individual well adjacent to the  
7 wellhead. Any activities or construction relating to such operations shall not  
8 be a basis for an exception under ORS 197.732 (2)(a) or (b).

9       “(g) Operations for the exploration for minerals as defined by ORS  
10 517.750. Any activities or construction relating to such operations shall not  
11 be a basis for an exception under ORS 197.732 (2)(a) or (b).

12       “(h) Climbing and passing lanes within the right of way existing as of  
13 July 1, 1987.

14       “(i) Reconstruction or modification of public roads and highways, includ-  
15 ing the placement of utility facilities overhead and in the subsurface of  
16 public roads and highways along the public right of way, but not including  
17 the addition of travel lanes, where no removal or displacement of buildings  
18 would occur, or no new land parcels result.

19       “(j) Temporary public road and highway detours that will be abandoned  
20 and restored to original condition or use at such time as no longer needed.

21       “(k) Minor betterment of existing public road and highway related facili-  
22 ties such as maintenance yards, weigh stations and rest areas, within right  
23 of way existing as of July 1, 1987, and contiguous public-owned property  
24 utilized to support the operation and maintenance of public roads and high-  
25 ways.

26       “(L) A replacement dwelling to be used in conjunction with farm use if  
27 the existing dwelling has been listed in a county inventory as historic prop-  
28 erty as defined in ORS 358.480.

29       “(m) Creation, restoration or enhancement of wetlands.

30       “(n) A winery, as described in ORS 215.452 or 215.453.

1       “(o) Farm stands if:

2       “(A) The structures are designed and used for the sale of farm crops or  
3 livestock grown on the farm operation, or grown on the farm operation and  
4 other farm operations in the local agricultural area, including the sale of  
5 retail incidental items and fee-based activity to promote the sale of farm  
6 crops or livestock sold at the farm stand if the annual sale of incidental  
7 items and fees from promotional activity do not make up more than 25 per-  
8 cent of the total annual sales of the farm stand; and

9       “(B) The farm stand does not include structures designed for occupancy  
10 as a residence or for activity other than the sale of farm crops or livestock  
11 and does not include structures for banquets, public gatherings or public  
12 entertainment.

13       “(p) Alteration, restoration or replacement of a lawfully established  
14 dwelling, as described in ORS 215.291.

15       “(q) A site for the takeoff and landing of model aircraft, including such  
16 buildings or facilities as may reasonably be necessary. Buildings or facilities  
17 shall not be more than 500 square feet in floor area or placed on a permanent  
18 foundation unless the building or facility preexisted the use approved under  
19 this paragraph. The site shall not include an aggregate surface or hard sur-  
20 face area unless the surface preexisted the use approved under this para-  
21 graph. An owner of property used for the purpose authorized in this  
22 paragraph may charge a person operating the use on the property rent for  
23 the property. An operator may charge users of the property a fee that does  
24 not exceed the operator’s cost to maintain the property, buildings and facil-  
25 ities. As used in this paragraph, ‘model aircraft’ means a small-scale version  
26 of an airplane, glider, helicopter, dirigible or balloon that is used or intended  
27 to be used for flight and is controlled by radio, lines or design by a person  
28 on the ground.

29       “(r) A facility for the processing of farm products as described in ORS  
30 215.255.

- 1       “(s) Fire service facilities providing rural fire protection services.
- 2       “(t) Irrigation reservoirs, canals, delivery lines and those structures and  
3 accessory operational facilities, not including parks or other recreational  
4 structures and facilities, associated with a district as defined in ORS 540.505.
- 5       “(u) Utility facility service lines. Utility facility service lines are utility  
6 lines and accessory facilities or structures that end at the point where the  
7 utility service is received by the customer and that are located on one or  
8 more of the following:
- 9       “(A) A public right of way;
- 10       “(B) Land immediately adjacent to a public right of way, provided the  
11 written consent of all adjacent property owners has been obtained; or
- 12       “(C) The property to be served by the utility.
- 13       “(v) Subject to the issuance of a license, permit or other approval by the  
14 Department of Environmental Quality under ORS 454.695, 459.205, 468B.050,  
15 468B.053 or 468B.055, or in compliance with rules adopted under ORS  
16 468B.095, and as provided in ORS 215.246 to 215.251, the land application of  
17 reclaimed water, agricultural or industrial process water or biosolids, or the  
18 onsite treatment of septage prior to the land application of biosolids, for  
19 agricultural, horticultural or silvicultural production, or for irrigation in  
20 connection with a use allowed in an exclusive farm use zone under this  
21 chapter. For the purposes of this paragraph, onsite treatment of septage prior  
22 to the land application of biosolids is limited to treatment using treatment  
23 facilities that are portable, temporary and transportable by truck trailer, as  
24 defined in ORS 801.580, during a period of time within which land applica-  
25 tion of biosolids is authorized under the license, permit or other approval.
- 26       “(w) A county law enforcement facility that lawfully existed on August  
27 20, 2002, and is used to provide rural law enforcement services primarily in  
28 rural areas, including parole and post-prison supervision, but not including  
29 a correctional facility as defined under ORS 162.135.
- 30       “(x) Dog training classes or testing trials, which may be conducted out-



1 doors or in preexisting farm buildings, when:

2 “(A) The number of dogs participating in training does not exceed 10 dogs  
3 per training class and the number of training classes to be held on-site does  
4 not exceed six per day; and

5 “(B) The number of dogs participating in a testing trial does not exceed  
6 60 and the number of testing trials to be conducted on-site is limited to four  
7 or fewer trials per calendar year.

8 “(y) A cider business, as described in ORS 215.451.

9 “(z) A farm brewery, as described in ORS 215.449.

10 “(aa) **A marijuana experience center, as described in section 2 of**  
11 **this 2023 Act.**

12 “(2) The following nonfarm uses may be established, subject to the ap-  
13 proval of the governing body or its designee in any area zoned for exclusive  
14 farm use subject to ORS 215.296:

15 “(a) Commercial activities that are in conjunction with farm use, includ-  
16 ing the processing of farm crops into biofuel not permitted under ORS  
17 215.203 (2)(b)(K) or 215.255.

18 “(b) Operations conducted for:

19 “(A) Mining and processing of geothermal resources as defined by ORS  
20 522.005 and oil and gas as defined by ORS 520.005 not otherwise permitted  
21 under subsection (1)(f) of this section;

22 “(B) Mining, crushing or stockpiling of aggregate and other mineral and  
23 other subsurface resources subject to ORS 215.298;

24 “(C) Processing, as defined by ORS 517.750, of aggregate into asphalt or  
25 portland cement; and

26 “(D) Processing of other mineral resources and other subsurface re-  
27 sources.

28 “(c) Private parks, playgrounds, hunting and fishing preserves and  
29 campgrounds. Subject to the approval of the county governing body or its  
30 designee, a private campground may provide yurts for overnight camping.

1 No more than one-third or a maximum of 10 campsites, whichever is smaller,  
2 may include a yurt. The yurt shall be located on the ground or on a wood  
3 floor with no permanent foundation. Upon request of a county governing  
4 body, the Land Conservation and Development Commission may provide by  
5 rule for an increase in the number of yurts allowed on all or a portion of  
6 the campgrounds in a county if the commission determines that the increase  
7 will comply with the standards described in ORS 215.296 (1). As used in this  
8 paragraph, 'yurt' means a round, domed shelter of cloth or canvas on a  
9 collapsible frame with no plumbing, sewage disposal hookup or internal  
10 cooking appliance.

11 “(d) Parks and playgrounds. A public park may be established consistent  
12 with the provisions of ORS 195.120.

13 “(e) Community centers owned by a governmental agency or a nonprofit  
14 community organization and operated primarily by and for residents of the  
15 local rural community. A community center authorized under this paragraph  
16 may provide services to veterans, including but not limited to emergency and  
17 transitional shelter, preparation and service of meals, vocational and educa-  
18 tional counseling and referral to local, state or federal agencies providing  
19 medical, mental health, disability income replacement and substance abuse  
20 services, only in a facility that is in existence on January 1, 2006. The ser-  
21 vices may not include direct delivery of medical, mental health, disability  
22 income replacement or substance abuse services.

23 “(f) Golf courses on land:

24 “(A) Determined not to be high-value farmland, as defined in ORS 195.300  
25 (10); or

26 “(B) Determined to be high-value farmland described in ORS 195.300  
27 (10)(c) if the land:

28 “(i) Is not otherwise described in ORS 195.300 (10);

29 “(ii) Is surrounded on all sides by an approved golf course; and

30 “(iii) Is west of U.S. Highway 101.

1 “(g) Commercial utility facilities for the purpose of generating power for  
2 public use by sale. If the area zoned for exclusive farm use is high-value  
3 farmland, a photovoltaic solar power generation facility may be established  
4 as a commercial utility facility as provided in ORS 215.447. A renewable  
5 energy facility as defined in ORS 215.446 may be established as a commercial  
6 utility facility.

7 “(h) Personal-use airports for airplanes and helicopter pads, including  
8 associated hangar, maintenance and service facilities. A personal-use airport,  
9 as used in this section, means an airstrip restricted, except for aircraft  
10 emergencies, to use by the owner, and, on an infrequent and occasional basis,  
11 by invited guests, and by commercial aviation activities in connection with  
12 agricultural operations. No aircraft may be based on a personal-use airport  
13 other than those owned or controlled by the owner of the airstrip. Exceptions  
14 to the activities permitted under this definition may be granted through  
15 waiver action by the Oregon Department of Aviation in specific instances.  
16 A personal-use airport lawfully existing as of September 13, 1975, shall con-  
17 tinue to be permitted subject to any applicable rules of the Oregon Depart-  
18 ment of Aviation.

19 “(i) Home occupations as provided in ORS 215.448.

20 “(j) A facility for the primary processing of forest products, provided that  
21 such facility is found to not seriously interfere with accepted farming prac-  
22 tices and is compatible with farm uses described in ORS 215.203 (2). Such a  
23 facility may be approved for a one-year period which is renewable. These  
24 facilities are intended to be only portable or temporary in nature. The pri-  
25 mary processing of a forest product, as used in this section, means the use  
26 of a portable chipper or stud mill or other similar methods of initial treat-  
27 ment of a forest product in order to enable its shipment to market. Forest  
28 products, as used in this section, means timber grown upon a parcel of land  
29 or contiguous land where the primary processing facility is located.

30 “(k) A site for the disposal of solid waste approved by the governing body

1 of a city or county or both and for which a permit has been granted under  
2 ORS 459.245 by the Department of Environmental Quality together with  
3 equipment, facilities or buildings necessary for its operation.

4 “(L) One manufactured dwelling or recreational vehicle, or the temporary  
5 residential use of an existing building, in conjunction with an existing  
6 dwelling as a temporary use for the term of a hardship suffered by the ex-  
7 isting resident or a relative of the resident. Within three months of the end  
8 of the hardship, the manufactured dwelling or recreational vehicle shall be  
9 removed or demolished or, in the case of an existing building, the building  
10 shall be removed, demolished or returned to an allowed nonresidential use.  
11 The governing body or its designee shall provide for periodic review of the  
12 hardship claimed under this paragraph. A temporary residence approved un-  
13 der this paragraph is not eligible for replacement under subsection (1)(p) of  
14 this section.

15 “(m) Transmission towers over 200 feet in height.

16 “(n)(A) Commercial dog boarding kennels; or

17 “(B) Dog training classes or testing trials that cannot be established un-  
18 der subsection (1)(x) of this section.

19 “(o) Residential homes as defined in ORS 197.660, in existing dwellings.

20 “(p) The propagation, cultivation, maintenance and harvesting of aquatic  
21 species that are not under the jurisdiction of the State Fish and Wildlife  
22 Commission or insect species. Insect species shall not include any species  
23 under quarantine by the State Department of Agriculture or the United  
24 States Department of Agriculture. The county shall provide notice of all  
25 applications under this paragraph to the State Department of Agriculture.  
26 Notice shall be provided in accordance with the county’s land use regu-  
27 lations but shall be mailed at least 20 calendar days prior to any adminis-  
28 trative decision or initial public hearing on the application.

29 “(q) Construction of additional passing and travel lanes requiring the  
30 acquisition of right of way but not resulting in the creation of new land

1 parcels.

2 “(r) Reconstruction or modification of public roads and highways involv-  
3 ing the removal or displacement of buildings but not resulting in the cre-  
4 ation of new land parcels.

5 “(s) Improvement of public road and highway related facilities, such as  
6 maintenance yards, weigh stations and rest areas, where additional property  
7 or right of way is required but not resulting in the creation of new land  
8 parcels.

9 “(t) A destination resort that is approved consistent with the require-  
10 ments of any statewide planning goal relating to the siting of a destination  
11 resort.

12 “(u) Room and board arrangements for a maximum of five unrelated per-  
13 sons in existing residences.

14 “(v) Operations for the extraction and bottling of water.

15 “(w) Expansion of existing county fairgrounds and activities directly re-  
16 lating to county fairgrounds governed by county fair boards established  
17 pursuant to ORS 565.210.

18 “(x) A living history museum related to resource based activities owned  
19 and operated by a governmental agency or a local historical society, together  
20 with limited commercial activities and facilities that are directly related to  
21 the use and enjoyment of the museum and located within authentic buildings  
22 of the depicted historic period or the museum administration building, if  
23 areas other than an exclusive farm use zone cannot accommodate the mu-  
24 seum and related activities or if the museum administration buildings and  
25 parking lot are located within one quarter mile of an urban growth bound-  
26 ary. As used in this paragraph:

27 “(A) ‘Living history museum’ means a facility designed to depict and in-  
28 terpret everyday life and culture of some specific historic period using au-  
29 thentic buildings, tools, equipment and people to simulate past activities and  
30 events; and

1       “(B) ‘Local historical society’ means the local historical society recog-  
2 nized by the county governing body and organized under ORS chapter 65.

3       “(y) An aerial fireworks display business that has been in continuous  
4 operation at its current location within an exclusive farm use zone since  
5 December 31, 1986, and possesses a wholesaler’s permit to sell or provide  
6 fireworks.

7       “(z) A landscape contracting business, as defined in ORS 671.520, or a  
8 business providing landscape architecture services, as described in ORS  
9 671.318, if the business is pursued in conjunction with the growing and  
10 marketing of nursery stock on the land that constitutes farm use.

11       “(aa) Public or private schools for kindergarten through grade 12, in-  
12 cluding all buildings essential to the operation of a school, primarily for  
13 residents of the rural area in which the school is located.

14       “(bb) Equine and equine-affiliated therapeutic and counseling activities,  
15 provided:

16       “(A) The activities are conducted in existing buildings that were lawfully  
17 constructed on the property before January 1, 2019, or in new buildings that  
18 are accessory, incidental and subordinate to the farm use on the tract; and

19       “(B) All individuals conducting therapeutic or counseling activities are  
20 acting within the proper scope of any licenses required by the state.

21       “(cc) Guest ranches in eastern Oregon, as described in ORS 215.461.

22       “(dd) Child care facilities, preschool recorded programs or school-age re-  
23 corded programs that are:

24       “(A) Authorized under ORS 329A.250 to 329A.450;

25       “(B) Primarily for the children of residents and workers of the rural area  
26 in which the facility or program is located; and

27       “(C) Colocated with a community center or a public or private school al-  
28 lowed under this subsection.

29       “(3) Roads, highways and other transportation facilities and improvements  
30 not allowed under subsections (1) and (2) of this section may be established,

1 subject to the approval of the governing body or its designee, in areas zoned  
2 for exclusive farm use subject to:

3 “(a) Adoption of an exception to the goal related to agricultural lands and  
4 to any other applicable goal with which the facility or improvement does not  
5 comply; or

6 “(b) ORS 215.296 for those uses identified by rule of the Land Conserva-  
7 tion and Development Commission as provided in section 3, chapter 529,  
8 Oregon Laws 1993.

9 “(4) The following agri-tourism and other commercial events or activities  
10 that are related to and supportive of agriculture may be established in any  
11 area zoned for exclusive farm use:

12 “(a) A county may authorize a single agri-tourism or other commercial  
13 event or activity on a tract in a calendar year by an authorization that is  
14 personal to the applicant and is not transferred by, or transferable with, a  
15 conveyance of the tract, if the agri-tourism or other commercial event or  
16 activity meets any local standards that apply and:

17 “(A) The agri-tourism or other commercial event or activity is incidental  
18 and subordinate to existing farm use on the tract;

19 “(B) The duration of the agri-tourism or other commercial event or ac-  
20 tivity does not exceed 72 consecutive hours;

21 “(C) The maximum attendance at the agri-tourism or other commercial  
22 event or activity does not exceed 500 people;

23 “(D) The maximum number of motor vehicles parked at the site of the  
24 agri-tourism or other commercial event or activity does not exceed 250 ve-  
25 hicles;

26 “(E) The agri-tourism or other commercial event or activity complies with  
27 ORS 215.296;

28 “(F) The agri-tourism or other commercial event or activity occurs out-  
29 doors, in temporary structures, or in existing permitted structures, subject  
30 to health and fire and life safety requirements; and

1 “(G) The agri-tourism or other commercial event or activity complies with  
2 conditions established for:

3 “(i) Planned hours of operation;

4 “(ii) Access, egress and parking;

5 “(iii) A traffic management plan that identifies the projected number of  
6 vehicles and any anticipated use of public roads; and

7 “(iv) Sanitation and solid waste.

8 “(b) In the alternative to paragraphs (a) and (c) of this subsection, a  
9 county may authorize, through an expedited, single-event license, a single  
10 agri-tourism or other commercial event or activity on a tract in a calendar  
11 year by an expedited, single-event license that is personal to the applicant  
12 and is not transferred by, or transferable with, a conveyance of the tract. A  
13 decision concerning an expedited, single-event license is not a land use de-  
14 cision, as defined in ORS 197.015. To approve an expedited, single-event li-  
15 cense, the governing body of a county or its designee must determine that  
16 the proposed agri-tourism or other commercial event or activity meets any  
17 local standards that apply, and the agri-tourism or other commercial event  
18 or activity:

19 “(A) Must be incidental and subordinate to existing farm use on the tract;

20 “(B) May not begin before 6 a.m. or end after 10 p.m.;

21 “(C) May not involve more than 100 attendees or 50 vehicles;

22 “(D) May not include the artificial amplification of music or voices before  
23 8 a.m. or after 8 p.m.;

24 “(E) May not require or involve the construction or use of a new perma-  
25 nent structure in connection with the agri-tourism or other commercial event  
26 or activity;

27 “(F) Must be located on a tract of at least 10 acres unless the owners or  
28 residents of adjoining properties consent, in writing, to the location; and

29 “(G) Must comply with applicable health and fire and life safety require-  
30 ments.



1 “(c) In the alternative to paragraphs (a) and (b) of this subsection, a  
2 county may authorize up to six agri-tourism or other commercial events or  
3 activities on a tract in a calendar year by a limited use permit that is per-  
4 sonal to the applicant and is not transferred by, or transferable with, a  
5 conveyance of the tract. The agri-tourism or other commercial events or  
6 activities must meet any local standards that apply, and the agri-tourism or  
7 other commercial events or activities:

8 “(A) Must be incidental and subordinate to existing farm use on the tract;

9 “(B) May not, individually, exceed a duration of 72 consecutive hours;

10 “(C) May not require that a new permanent structure be built, used or  
11 occupied in connection with the agri-tourism or other commercial events or  
12 activities;

13 “(D) Must comply with ORS 215.296;

14 “(E) May not, in combination with other agri-tourism or other commercial  
15 events or activities authorized in the area, materially alter the stability of  
16 the land use pattern in the area; and

17 “(F) Must comply with conditions established for:

18 “(i) The types of agri-tourism or other commercial events or activities  
19 that are authorized during each calendar year, including the number and  
20 duration of the agri-tourism or other commercial events and activities, the  
21 anticipated daily attendance and the hours of operation;

22 “(ii) The location of existing structures and the location of proposed  
23 temporary structures to be used in connection with the agri-tourism or other  
24 commercial events or activities;

25 “(iii) The location of access and egress and parking facilities to be used  
26 in connection with the agri-tourism or other commercial events or activities;

27 “(iv) Traffic management, including the projected number of vehicles and  
28 any anticipated use of public roads; and

29 “(v) Sanitation and solid waste.

30 “(d) In addition to paragraphs (a) to (c) of this subsection, a county may

1 authorize agri-tourism or other commercial events or activities that occur  
2 more frequently or for a longer period or that do not otherwise comply with  
3 paragraphs (a) to (c) of this subsection if the agri-tourism or other commer-  
4 cial events or activities comply with any local standards that apply and the  
5 agri-tourism or other commercial events or activities:

6 “(A) Are incidental and subordinate to existing commercial farm use of  
7 the tract and are necessary to support the commercial farm uses or the  
8 commercial agricultural enterprises in the area;

9 “(B) Comply with the requirements of paragraph (c)(C), (D), (E) and (F)  
10 of this subsection;

11 “(C) Occur on a lot or parcel that complies with the acknowledged mini-  
12 mum lot or parcel size; and

13 “(D) Do not exceed 18 events or activities in a calendar year.

14 “(5) A holder of a permit authorized by a county under subsection (4)(d)  
15 of this section must request review of the permit at four-year intervals. Upon  
16 receipt of a request for review, the county shall:

17 “(a) Provide public notice and an opportunity for public comment as part  
18 of the review process; and

19 “(b) Limit its review to events and activities authorized by the permit,  
20 conformance with conditions of approval required by the permit and the  
21 standards established by subsection (4)(d) of this section.

22 “(6) For the purposes of subsection (4) of this section:

23 “(a) A county may authorize the use of temporary structures established  
24 in connection with the agri-tourism or other commercial events or activities  
25 authorized under subsection (4) of this section. However, the temporary  
26 structures must be removed at the end of the agri-tourism or other event or  
27 activity. The county may not approve an alteration to the land in connection  
28 with an agri-tourism or other commercial event or activity authorized under  
29 subsection (4) of this section, including, but not limited to, grading, filling  
30 or paving.

1 “(b) The county may issue the limited use permits authorized by sub-  
2 section (4)(c) of this section for two calendar years. When considering an  
3 application for renewal, the county shall ensure compliance with the pro-  
4 visions of subsection (4)(c) of this section, any local standards that apply and  
5 conditions that apply to the permit or to the agri-tourism or other commer-  
6 cial events or activities authorized by the permit.

7 “(c) The authorizations provided by subsection (4) of this section are in  
8 addition to other authorizations that may be provided by law, except that  
9 ‘outdoor mass gathering’ and ‘other gathering,’ as those terms are used in  
10 ORS 197.015 (10)(d), do not include agri-tourism or other commercial events  
11 and activities.

12 **“SECTION 5.** ORS 475C.177 is amended to read:

13 “475C.177. (1) The Oregon Liquor and Cannabis Commission shall develop  
14 and maintain a system for tracking the transfer of marijuana items between  
15 premises for which licenses have been issued under ORS 475C.005 to  
16 475C.525.

17 “(2) The purposes of the system developed and maintained under this  
18 section include, but are not limited to:

19 “(a) Preventing the diversion of marijuana items to criminal enterprises,  
20 gangs, cartels and other states;

21 “(b) Preventing persons from substituting or tampering with marijuana  
22 items;

23 “(c) Ensuring an accurate accounting of the production, processing and  
24 sale of marijuana items;

25 “(d) Ensuring that laboratory testing results are accurately reported; and

26 “(e) Ensuring compliance with ORS 475C.005 to 475C.525, rules adopted  
27 under ORS 475C.005 to 475C.525 and any other law of this state that charges  
28 the commission with a duty, function or power related to marijuana.

29 “(3) The system developed and maintained under this section must be ca-  
30 pable of tracking, at a minimum:

1 “(a) The propagation of immature marijuana plants and the production  
2 of marijuana by a marijuana producer;

3 “(b) The processing of marijuana by a marijuana processor;

4 “(c) The receiving, storing and delivering of marijuana items by a  
5 marijuana wholesaler;

6 “(d) The sale of marijuana items by a marijuana retailer to a consumer;

7 “(e) The sale and purchase of marijuana items between licensees, as per-  
8 mitted by ORS 475C.005 to 475C.525;

9 “(f) The transfer of marijuana items between premises for which licenses  
10 have been issued under ORS 475C.005 to 475C.525; *[and]*

11 “(g) **The sampling of marijuana items, as described in section 2 of**  
12 **this 2023 Act; and**

13 “(h) Any other information that the commission determines is reasonably  
14 necessary to accomplish the duties, functions and powers of the commission  
15 under ORS 475C.005 to 475C.525.

16 “**SECTION 6.** ORS 475C.489 is amended to read:

17 “475C.489. (1) Marijuana is:

18 “(a) A crop for the purposes of ‘farm use’ as defined in ORS 215.203;

19 “(b) A crop for purposes of a ‘farm’ and ‘farming practice,’ both as defined  
20 in ORS 30.930;

21 “(c) A product of farm use as described in ORS 308A.062; and

22 “(d) The product of an agricultural activity for purposes of ORS 568.909.

23 “(2) Notwithstanding ORS chapters 195, 196, 197, 215 and 227, the follow-  
24 ing are not permitted uses on land designated for exclusive farm use:

25 “(a) A new dwelling used in conjunction with a marijuana crop;

26 “(b) A farm stand, as described in ORS 215.213 (1)(r) or 215.283 (1)(o), used  
27 in conjunction with a marijuana crop; and

28 “(c) **Except for a marijuana experience center described in section**  
29 **2 of this 2023 Act,** a commercial activity, as described in ORS 215.213 (2)(c)  
30 or 215.283 (2)(a), carried on in conjunction with a marijuana crop.

1 “(3) A county may allow the production of marijuana as a farm use on  
2 land zoned for farm or forest use in the same manner as the production of  
3 marijuana is allowed in exclusive farm use zones under this section and ORS  
4 215.213, 215.283 and 475C.053.

5 “(4) This section applies to:

6 “(a) Marijuana producers that hold a license issued under ORS 475C.065;

7 “(b) Persons registered under ORS 475C.792 and designated to produce  
8 marijuana by one or more persons who hold valid registry identification  
9 cards issued under ORS 475C.783; and

10 “(c) For the purpose of producing marijuana or propagating immature  
11 marijuana plants, researchers of cannabis that hold a certificate issued under  
12 ORS 475C.289.

13 **“SECTION 7. Sections 8 and 9 of this 2023 Act are added to and  
14 made a part of ORS 475C.005 to 475C.525.**

15 **“SECTION 8. All agencies of state government, as defined in ORS  
16 174.111, shall provide the same services to businesses licensed or reg-  
17 istered under ORS 475C.005 to 475C.525, 475C.548, 475C.770 to 475C.919  
18 or 571.260 to 571.348 as to all other businesses, unless the provision of  
19 such services to a business licensed or registered as described in this  
20 section is prohibited by federal law.**

21 **“SECTION 9. (1) At a trade show or similar event:**

22 **“(a) A marijuana producer that holds a license issued under ORS  
23 475C.065 and a marijuana processor that holds a license issued under  
24 ORS 475C.085 may:**

25 **“(A) Transfer marijuana items to a marijuana retailer that holds a  
26 license issued under ORS 475C.097; and**

27 **“(B) Provide to a licensee or holder of a permit issued under ORS  
28 475C.273 samples of marijuana items.**

29 **“(b) A marijuana wholesaler that holds a license issued under ORS  
30 475C.093 may:**

1       “(A) Sell at wholesale or transfer marijuana items to a marijuana  
2 retailer that holds a license issued under ORS 475C.097; and

3       “(B) Provide to a licensee or holder of a permit issued under ORS  
4 475C.273 samples of marijuana items.

5       “(c) A marijuana retailer that holds a license issued under ORS  
6 475C.097 may receive from a marijuana producer that holds a license  
7 issued under ORS 475C.065, a marijuana processor that holds a license  
8 issued under ORS 475C.085 or a marijuana wholesaler that holds a li-  
9 cense issued under ORS 475C.093 marijuana items sold or transferred  
10 as described in this subsection.

11       “(d) A licensee or holder of a permit issued under ORS 475C.273 may  
12 receive from a marijuana producer that holds a license issued under  
13 ORS 475C.065, a marijuana processor that holds a license issued under  
14 ORS 475C.085 or a marijuana wholesaler that holds a license issued  
15 under ORS 475C.093 samples of marijuana items provided as described  
16 in this subsection.

17       “(2) A person may not, at a trade show or similar event, consume  
18 a sample of a marijuana item.

19       “(3) The Oregon Liquor and Cannabis Commission may adopt rules  
20 to carry out this section.

21       “**SECTION 10.** ORS 475C.117 is amended to read:

22       “475C.117. (1) A marijuana retailer that holds a license issued under ORS  
23 475C.097 may make deliveries to a consumer pursuant to the consumer’s bona  
24 fide order received by the marijuana retailer. The delivery of marijuana  
25 items under this section may be made to a consumer:

26       “(a) Within the same city or unincorporated area of the county in which  
27 the marijuana retailer is located; or

28       “(b) In a city or the unincorporated area of a county that is adjacent to  
29 the city or unincorporated area of the county in which the marijuana retailer  
30 is located, provided the adjacent city or county has adopted an ordinance

1 allowing for the delivery of marijuana items by a marijuana retailer located  
2 in an adjacent city or unincorporated area of a county.

3 “(2) A marijuana retailer that makes deliveries under this section shall:

4 “(a) Ensure that deliveries are made in an efficient and timely manner.

5 “(b) Upon request, provide to the Oregon Liquor and Cannabis Commis-  
6 sion information on each vehicle used to make deliveries of marijuana items  
7 under this section, including the make, model, year, color, vehicle identifi-  
8 cation number and registration plate number.

9 “(c) Maintain an electronic or physical record of each bona fide order for  
10 the delivery of marijuana items that the marijuana retailer fulfills.

11 “(d) Report to the commission, and as necessary to the appropriate law  
12 enforcement agency, any accidents or losses involving a delivery vehicle.

13 “(3) An individual who makes deliveries on behalf of a marijuana retailer  
14 under this section:

15 “(a) Shall:

16 “(A) Hold a permit issued under ORS 475C.273 and carry the permit while  
17 making deliveries under this section.

18 “(B) Have a method of secure electronic communication in order to com-  
19 municate with the marijuana retailer for which the individual is making  
20 deliveries.

21 “(C) Maintain an electronic or physical record of a bona fide order for a  
22 delivery of a marijuana item.

23 “(D) Present to the consumer a printed or electronic delivery manifest and  
24 obtain on the manifest the consumer’s written or electronic signature veri-  
25 fying completion of the delivery of marijuana items.

26 “(E) Except in the case of an emergency or unsafe road conditions or as  
27 necessary for fuel, rest or vehicle repair, travel only between the premises  
28 of the marijuana retailer and the locations at which the deliveries of  
29 marijuana items are made.

30 “(b) May not:

1 “(A) Leave a delivery vehicle that contains marijuana items unattended  
2 unless the delivery vehicle is locked and equipped with an active vehicle  
3 alarm system.

4 “(B) Carry more than \$10,000 worth of marijuana items in a delivery ve-  
5 hicle at any one time.

6 “(C) Consume, or be under the influence of, marijuana while making de-  
7 liveries under this section.

8 “(4) A delivery vehicle must:

9 “(a) While being used for making deliveries, be equipped with an active  
10 global positioning system device that tracks the location of the delivery ve-  
11 hicle and enables the marijuana retailer for which the deliveries are being  
12 made to identify the location of the delivery vehicle.

13 “(b) Be equipped with a lockable container in a secured cargo area of the  
14 delivery vehicle that is of a size appropriate to contain the marijuana items  
15 being delivered.

16 “(c) Be free of any markings that may indicate that the delivery vehicle  
17 is used for the purpose of delivering marijuana items.

18 “(5) A delivery of marijuana items may not be made to a consumer who  
19 is located on land owned or leased by the federal government.

20 “(6) The commission may adopt rules to carry out the purposes of this  
21 section. **Rules adopted under this subsection must allow the delivery**  
22 **of marijuana items under this section to a consumer at a hotel or inn,**  
23 **as defined in ORS 699.005.**

24 “**SECTION 11.** ORS 475C.205 is amended to read:

25 “475C.205. (1) Except as provided in ORS 475C.137 and 475C.850 **and**  
26 **sections 2 and 9 of this 2023 Act** and rules adopted pursuant to ORS  
27 475C.065, a marijuana producer that holds a license issued under ORS  
28 475C.065, marijuana processor that holds a license issued under ORS 475C.085  
29 or marijuana wholesaler that holds a license issued under ORS 475C.093 may  
30 deliver marijuana items only to or on a premises for which a license has been



1 issued under ORS 475C.065, 475C.085, 475C.093 or 475C.097, or to a registry  
2 identification cardholder or designated primary caregiver as allowed under  
3 ORS 475C.005 to 475C.525.

4 “(2) A licensee to which marijuana items may be delivered under sub-  
5 section (1) of this section may receive marijuana items only from:

6 “(a) A marijuana producer that holds a license issued under ORS  
7 475C.065, marijuana processor that holds a license issued under ORS  
8 475C.085, marijuana wholesaler that holds a license issued under ORS  
9 475C.093, marijuana retailer that holds a license issued under ORS 475C.097  
10 or a laboratory licensed under ORS 475C.548;

11 “(b) A researcher of cannabis that holds a certificate issued under ORS  
12 475C.289 and that transfers limited amounts of marijuana, usable marijuana,  
13 cannabinoid products, cannabinoid concentrates and cannabinoid extracts in  
14 accordance with procedures adopted under ORS 475C.289 (3)(d) and (e);

15 “(c) A marijuana grow site registered under ORS 475C.792, marijuana  
16 processing site registered under ORS 475C.815, or a medical marijuana  
17 dispensary registered under ORS 475C.833, acting in accordance with proce-  
18 dures adopted by the Oregon Liquor and Cannabis Commission under ORS  
19 475C.169; or

20 “(d) A marijuana grow site registered under ORS 475C.792, acting in ac-  
21 cordance with ORS 475C.800 and any procedures adopted by rule by the  
22 commission.

23 “(3) Except as provided in ORS 475C.117, the sale of marijuana items by  
24 a marijuana retailer that holds a license issued under ORS 475C.097 must  
25 be restricted to the premises for which the license has been issued.

26 “(4) The commission may by order waive the requirements of subsections  
27 (1) and (2) of this section to ensure compliance with ORS 475C.005 to  
28 475C.525 or a rule adopted under ORS 475C.005 to 475C.525. An order issued  
29 under this subsection does not constitute a waiver of any other requirement  
30 of ORS 475C.005 to 475C.525 or any other rule adopted under ORS 475C.005

1 to 475C.525.

2 **“SECTION 12.** ORS 475C.513 is amended to read:

3 “475C.513. (1) Notwithstanding ORS 475C.205 or any other provision pro-  
4 hibiting the transportation of marijuana items to or from a location for  
5 which a license has not been issued under ORS 475C.005 to 475C.525 or pro-  
6 hibiting the possession of marijuana items at a location for which a license  
7 has not been issued under ORS 475C.005 to 475C.525, a licensee may trans-  
8 port marijuana items to and exhibit marijuana items at a trade show, the  
9 Oregon State Fair or a similar event if:

10 “(a) The marijuana items are tracked using the system developed and  
11 maintained under ORS 475C.177;

12 “(b) **Except for any marijuana items sold at wholesale or transferred**  
13 **pursuant to section 9 of this 2023 Act,** all of the marijuana items are re-  
14 turned to a premises for which a license has been issued under ORS 475C.005  
15 to 475C.525 immediately after the conclusion of the event; and

16 “(c) The licensee complies with any other requirement imposed by the  
17 Oregon Liquor and Cannabis Commission by rule or order for the purpose  
18 of ensuring the security of the marijuana items, for the purpose of preventing  
19 minors from having access to the marijuana items or for any other purpose  
20 deemed relevant by the commission.

21 “(2) The commission shall adopt rules to implement this section.

22 **“SECTION 13.** ORS 475C.674 is amended to read:

23 “475C.674. (1) A tax is hereby imposed upon the retail sale of marijuana  
24 items in this state. The tax imposed by this section is a direct tax on the  
25 consumer, for which payment upon retail sale is required. The tax shall be  
26 collected at the point of sale of a marijuana item by a marijuana retailer at  
27 the time at which the retail sale occurs.

28 “(2) The tax imposed under this section shall be imposed at the rate of:

29 “(a) 17 percent of the retail sales price of usable marijuana;

30 “(b) 17 percent of the retail sales price of immature marijuana plants;

1 “(c) 17 percent of the retail sales price of a cannabinoid edible;  
2 “(d) 17 percent of the retail sales price of a cannabinoid concentrate;  
3 “(e) 17 percent of the retail sales price of a cannabinoid extract;  
4 “(f) 17 percent of the retail sales price of a cannabinoid product that is  
5 intended to be used by applying the cannabinoid product to the skin or hair;  
6 and

7 “(g) 17 percent of the retail sales price of cannabinoid products other than  
8 those described in paragraph (f) of this subsection.

9 “(3) If the tax imposed under this section does not equal an amount cal-  
10 culable to a whole cent, the tax shall be equal to the next higher whole cent.

11 “(4) Except as otherwise provided by the Department of Revenue by rule,  
12 the amount of the tax shall be separately stated on an invoice, receipt or  
13 other similar document that the marijuana retailer provides to the consumer  
14 at the time at which the retail sale occurs.

15 “(5) A person may not knowingly sell, purchase, install, transfer or pos-  
16 sess electronic devices or software programs for the purposes of:

17 “(a) Hiding or removing records of retail sales of marijuana items; or

18 “(b) Falsifying records of retail sales of marijuana items.

19 “(6)(a) A marijuana retailer may not [*discount a marijuana item or offer*  
20 *a marijuana item for free if the retail sale of the marijuana item is made in*  
21 *conjunction with the retail sale of any other item*] **offer for free or a dis-**  
22 **count a marijuana item if the offer is contingent on the simultaneous**  
23 **retail sale of an item that is not a marijuana item.**

24 “(b) Paragraph (a) of this subsection does not affect any provision of ORS  
25 475C.005 to 475C.525 or any rule adopted by the Oregon Liquor and Cannabis  
26 Commission pursuant to ORS 475C.005 to 475C.525 that is related to the re-  
27 tail sale of marijuana items.

28 **“SECTION 14. (1) Sections 2, 8 and 9 of this 2023 Act and the**  
29 **amendments to ORS 215.213, 215.283, 475C.117, 475C.177, 475C.205,**  
30 **475C.489, 475C.513 and 475C.674 by sections 3 to 6 and 10 to 13 of this**

1 **2023 Act become operative on January 1, 2024.**

2 **“(2) The Department of Land Conservation and Development and**  
3 **the Oregon Liquor and Cannabis Commission may take any action**  
4 **before the operative date specified in subsection (1) of this section**  
5 **necessary to enable the commission and the department to exercise,**  
6 **on and after the operative date specified in subsection (1) of this sec-**  
7 **tion, all of the duties, functions and powers conferred on the com-**  
8 **mission and the department by sections 2, 8 and 9 of this 2023 Act and**  
9 **the amendments to ORS 215.213, 215.283, 475C.117, 475C.177, 475C.205,**  
10 **475C.489, 475C.513 and 475C.674 by sections 3 to 6 and 10 to 13 of this**  
11 **2023 Act.**

12 **“SECTION 15. This 2023 Act takes effect on the 91st day after the**  
13 **date on which the 2023 regular session of the Eighty-second Legislative**  
14 **Assembly adjourns sine die.”**

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