

## **SB 907 -1, -2 STAFF MEASURE SUMMARY**

### **Senate Committee On Labor and Business**

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**Prepared By:** Whitney Perez, LPRO Analyst

**Meeting Dates:** 2/20, 4/1, 4/3, 4/8

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#### **WHAT THE MEASURE DOES:**

The measure requires an applicant for a license to manufacture psilocybin, medical marijuana grow site registration, or a medical marijuana processing site registration to submit to the Oregon Health Authority (OHA) information on the ownership and location of the premises to be licensed or registered. Prohibits OHA from issuing license or registration without verifying ownership of the premises and obtaining specified consent from owner of the premises, when the premises is not owned by the applicant. The measure requires an applicant for a license to produce or process marijuana to submit to the Oregon Liquor and Cannabis Commission (OLCC) information on the ownership and location of the premises to be licensed. Prohibits OLCC from issuing license without verifying ownership of the premises and obtaining specified consent from owner of the premises, when the premises is not owned by the applicant. Operative on January 1, 2026. Takes effect on the 91st day following adjournment sine die.

#### Detailed Summary:

##### **Section 1**

Specifies that section 2 of the measure is added to the ORS chapter regulating psilocybin.

##### **Section 2**

Specifies that the Oregon Health Authority (OHA) may not issue a psilocybin manufacturer license unless the applicant submits a statement accurately identifying the legal address and owner of the premises to be licensed. Requires OHA to independently verify the ownership of the premises information provided by psilocybin manufacturer license applicant with the county in which the premises is located before issuing the license. Directs OHA, once ownership of premises is verified, to send by certified mail a form to the owner of the premises to be licensed, if the owner of the premises is not the applicant, informing the owner that the premises is intended to be licensed under a psilocybin manufacturer license. Provides that the form sent to the owner of the premises must provide their written and notarized signature confirming ownership of the premises and consenting to use of the premise for the purpose of manufacturing psilocybin, if the owner wishes to consent to this use. Directs OHA to cancel application for psilocybin manufacturer license if OHA does not receive signed and witnessed form from owner of the premises to be licensed.

##### **Section 3**

Makes conforming amendment.

##### **Section 4**

Makes conforming amendments.

##### **Section 5**

Specifies that section 6 of the measure is added to Oregon laws regulating recreational cannabis.

##### **Section 6**

Specifies that the Oregon Liquor and Cannabis Commission (OLCC) may not issue a marijuana production license or a marijuana processing license unless the applicant submits a statement accurately identifying the legal address and owner of the premises to be licensed. Requires OLCC to independently verify the ownership of the premises information provided by the applicant with the county in which the premises is located before issuing the license. Directs OLCC, once ownership of premises is verified, to send by certified mail a form to the owner of the premises to be licensed, if the owner of the premises is not the applicant, informing the owner that the premises is intended to be licensed under either a marijuana production license or a marijuana processor license. Provides that the form sent to the owner of the premises must provide their written and notarized signature confirming ownership of the premises and consenting to use of the premises for the purpose of producing marijuana, if the owner wishes to consent to this use. Directs OLCC to cancel application for marijuana processing or marijuana production license if OLCC does not receive signed and witnessed form from owner of the premises to be licensed.

**Section 7**

Makes conforming amendment.

**Section 8**

Makes conforming amendments.

**Section 9**

Makes conforming amendments.

**Section 10**

Specifies that section 11 of the measure is added to the Oregon Medical Marijuana Act.

**Section 11**

Specifies that the Oregon Health Authority (OHA) may not issue a marijuana grow site or a marijuana processing site registration unless the applicant submits a statement accurately identifying the legal address and owner of the premises to be registered. Requires OHA to independently verify the ownership of the premises information provided by the applicant with the county in which the premises is located before issuing the registration. Directs OHA, once ownership of premises is verified, to send by certified mail a form to the owner of the premises to be registered, if the owner of the premises is not the applicant, informing the owner that the premises is intended to be registered under either a marijuana grow site or marijuana processing site registration. Provides that the form sent to the owner of the premises must provide their written and notarized signature confirming ownership of the premises and consenting to use of the premise for the purpose of a marijuana grow site, if the owner wishes to consent to this use. Directs OHA to cancel application for a marijuana grow site or a marijuana processing site registration if OHA does not receive signed and witnessed form from owner of the premises to be licensed.

**Section 12**

Makes conforming amendments.

**Section 13**

Makes conforming amendments.

**Section 14**

Operative on January 1, 2026.

## **Section 15**

Takes effect on the 91st day following adjournment sine die.

Fiscal impact: Fiscal impact issued

Revenue impact: Has minimal revenue impact

### **ISSUES DISCUSSED:**

- Existing laws requiring consent of owner to grow marijuana or manufacture psilocybin
- Impetus for measure
- Federal regulation of marijuana and psilocybin
- Need to ensure valid consent of owner

### **EFFECT OF AMENDMENT:**

-1 The amendment replaces the requirement from the measure that directs the Oregon Health Authority (OHA) to, once ownership of premises is verified, send by certified mail a form to the owner of the premises to be licensed, if the owner of the premises is not the applicant, informing the owner that the premises is intended to be licensed under a psilocybin manufacturer license with the requirement that the applicant inform in writing the owner of the premises to be licensed that the premises is intended to be licensed under a psilocybin manufacturer license and obtain from the owner their written and notarized permission consenting to the applicant's use of the premise for the purpose of manufacturing psilocybin. The amendment replaces the requirement from the measure that directs the Oregon Liquor and Cannabis Commission (OLCC), once ownership of premises is verified, to send by certified mail a form to the owner of the premises to be licensed, if the owner of the premises is not the applicant, informing the owner that the premises is intended to be licensed under either a marijuana production license or a marijuana processor license with the requirement that that the applicant inform in writing the owner of the premises to be licensed that the premises is intended to be licensed for the purpose of producing or processing marijuana and obtain from the owner their written and notarized permission consenting to the applicant's use of the premise for the purpose of producing or processing marijuana. The amendment replaces the requirement from the measure that directs OHA, once ownership of premises is verified, to send by certified mail a form to the owner of the premises to be licensed, if the owner of the premises is not the applicant, informing the owner that the premises is intended to be registered under either a marijuana grow site or marijuana processing site registration with the requirement that that the applicant inform in writing the owner of the premises to be registered that the premises is intended to be registered for the purpose of a marijuana grow site or marijuana processing site and obtain from the owner their written and notarized permission consenting to the applicant's use of the premise for the purpose of a marijuana grow site or marijuana processing site. Specifies that the measure applies to licenses or registrations issued or renewed on or after operative date. Makes technical and conforming amendments.

Fiscal impact: Has minimal fiscal impact

Revenue impact: Has minimal revenue impact

-2 The amendment replaces the requirement from the measure that directs the Oregon Health Authority (OHA) to, once ownership of premises is verified, send by certified mail a form to the owner of the premises to be licensed, if the owner of the premises is not the applicant, informing the owner that the premises is intended to be licensed under a psilocybin manufacturer license with the requirement that the applicant inform in writing the owner of the premises to be licensed that the premises is intended to be licensed under a psilocybin manufacturer license and obtain from the owner their written and notarized permission consenting to the applicant's use of the premise for the purpose of manufacturing psilocybin. The amendment replaces the requirement from the measure that directs the Oregon Liquor and Cannabis Commission (OLCC), once ownership

of premises is verified, to send by certified mail a form to the owner of the premises to be licensed, if the owner of the premises is not the applicant, informing the owner that the premises is intended to be licensed under either a marijuana production license or a marijuana processor license with the requirement that that the applicant inform in writing the owner of the premises to be licensed that the premises is intended to be licensed for the purpose of producing or processing marijuana and obtain from the owner their written and notarized permission consenting to the applicant's use of the premise for the purpose of producing or processing marijuana. The amendment replaces the requirement from the measure that directs OHA, once ownership of premises is verified, to send by certified mail a form to the owner of the premises to be licensed, if the owner of the premises is not the applicant, informing the owner that the premises is intended to be registered under either a marijuana grow site or marijuana processing site registration with the requirement that that the applicant inform in writing the owner of the premises to be registered that the premises is intended to be registered for the purpose of a marijuana grow site or marijuana processing site and obtain from the owner their written and notarized permission consenting to the applicant's use of the premise for the purpose of a marijuana grow site or marijuana processing site. Specifies that the measure applies to licenses or registrations issued or renewed on or after operative date. Makes conforming and technical amendments.

Fiscal impact: Has minimal fiscal impact

Revenue impact: Has minimal revenue impact

**BACKGROUND:**

The Oregon Liquor and Cannabis Commission (OLCC) is responsible for regulating the sale and service of alcoholic beverages in Oregon by administering Oregon's Liquor Control Act. OLCC is also tasked with regulating the production, processing, and sale of recreational cannabis in Oregon through the Control, Regulation, and Taxation of Marijuana and Industrial Hemp Act.

The Oregon Health Authority (OHA) houses the Oregon Medical Marijuana Program (OMMP). OMMP registers medical marijuana patients, caregivers, and growers. OHA is also responsible for the rules for marijuana testing and oversees the accreditation of marijuana testing laboratories. OHA also houses Oregon Psilocybin Services (OPS) within their Public Health Division's Center for Health Protection. OPS implements Ballot Measure 109 from 2020, codified in ORS chapter 475A. By law, OHA is tasked with licensing and regulating the manufacturing, transportation, delivery, sale, and purchase of psilocybin products and the provision of psilocybin services in Oregon.

In 2019, the Legislative Assembly enacted House Bill 3200. HB 3200 required applicants for a recreational marijuana production license who did not own the premises to be licensed to submit signed informed consent from the owner of the premises to OLCC. HB 3200 also required applicants for a medical marijuana grow site registration who did not own the premise to be registered to submit signed informed consent from the owner to OHA. A similar provision was required for a psilocybin manufacturer license when Ballot Measure 109 was codified into ORS chapter 475A.

Senate Bill 907 requires an applicant for a license to manufacture psilocybin, medical marijuana grow site registration, or a medical marijuana processing site registration to submit to the Oregon Health Authority information on the ownership and location of the premises to be licensed or registered. It prohibits OHA from issuing a license or registration without verifying ownership of the premises and obtaining specified consent from the owner of the premises, when the premises is not owned by the applicant. SB 907 requires an applicant for a license to produce or process marijuana to submit to the Oregon Liquor and Cannabis Commission information on the ownership and location of the premises to be licensed. It prohibits OLCC from issuing licenses without verifying ownership of the premises and obtaining specified consent from the owner of the premises, when the premises is not owned by the applicant.