

Recreational Marijuana Program

Compliance Education Bulletin

Bulletin CE2017-07

The Oregon Liquor Control Commission is providing the following information to: existing and prospective recreational marijuana licensees and all employees working in the industry who require a worker permit.

The bulletin is part of OLCC's compliance education. It is important that you read it, and understand it. If you don't understand it please contact the OLCC for help.

Failure to understand and follow the information contained in this bulletin *could result in an OLCC rules compliance violation affecting your ability to work or operate your business.*

Bulletin CE2017-07 covers the following issue(s):

- Prohibition of consumer information collection by marijuana retail licensees

Action Required: Retail Licensees Required to STOP Collecting, Retaining Consumer Information

Oregon Governor Kate Brown signed [Senate Bill 863](#) into law on April 17, 2017.

This law does not change your reporting and inventory requirements as a licensee. You must report sales and inventory data into Metrc daily including Oregon Medical Marijuana Program (OMMP) card number if selling to a patient or caregiver.

SB 863 prohibits marijuana retailers from recording, retaining or transferring information contained on a passport, driver's license, military identification card or other identification card.

What are marijuana retailers required to do?

Beginning immediately retailers **may NOT** record or retain customer information gathered from a piece of official identification (e.g. driver's license, passport) that could identify the customer.

Retailers are still required, prior to completing the sale of a marijuana item to a consumer, to verify that the consumer has valid, unexpired government-issued photo identification and must verify that the consumer is 21 years of age or older. See: [OLCC Recreational Marijuana Rules \(Retailer Operational Requirements: 845-025-2820\)](#)

Destruction of Previously Collected Consumer Information

On or before May 18, 2017 retailers must destroy any previously collected information that may be used to identify a consumer acquired through the production of a piece of legally described identification. This includes any consumer information that was previously acquired with consent for the purposes of marketing.

Important: Do NOT delete or destroy information in Metrc. This requirement only pertains to information recorded or retained outside of Metrc.

Exception to Prohibition for Collecting Consumer Information (Opt In)

Going forward a retailer may retain the name and the contact information of a customer for marketing purposes only, if the retailer:

- Asks the consumer if they may record the information for marketing purposes **AND**
- The consumer agrees **in writing** to the information being used for marketing purposes.

This consumer consent does NOT authorize the retailer to sell or transfer the consumer's personal information.

Questions about the retailer implementation of SB 863 should be directed to the OLCC Recreational Marijuana Program at: marijuana@oregon.gov or by calling 503-872-6366.