

Producer Moratorium (SB 218)



The producer moratorium (SB 218) was signed by the Governor on June 17, 2019 and allows the OLCC to establish a temporary moratorium on recreational marijuana producer licenses until January 2, 2022.

- Only affects PRODUCER applicants
- Does NOT affect other license types
- Does NOT affect current licensees
- Does NOT affect renewals, change of ownership or change of location for current producer licensees

Producer applications received before June 15th 2018 that include an approved Land Use Compatibility Statement (LUCS):

- Transfer of producer applications to new locations will NOT be allowed after June 17, 2019
- Producer applicants will NOT be allowed to transfer ownership of the application after June 17, 2019
 - OLCC will use the same standard defining a change of ownership of a license in this context (currently 51% or more)
- *Changes submitted prior to June 17, 2019 will be accepted*
- OLCC is required by law to set timelines in rule for processing applications

Producer applications received before June 15th 2018 without an approved LUCS:

- Applicants had until July 8, 2019 to submit an approved LUCS and be placed in the assignment queue
- The agency is required to inactivate applications that do not meet this timeframe

Producer applications received after June 15th 2018:

- The agency is required to inactivate producer applications received after June 15, 2018

Rulemaking for the producer moratorium will be made by emergency rule in August of 2019



Import and Export (SB 582)

Import and Export (SB 582) was signed by the Governor on June 20, 2019. It is a Law for preparation – NOT action. Allows the Governor to enter into an agreement with another state to export and import with federal approval.

Allows the Governor to enter into an agreement with another state to export and import marijuana

The law becomes operative **only if**:

- Federal law is amended to allow for the interstate transfer of marijuana items between authorized marijuana-related businesses
- The United States Department of Justice issues an opinion or memorandum allowing or tolerating the interstate transfer of marijuana items between authorized marijuana related businesses

The agreement must ensure enforceable public health and safety standards, and include a system to regulate and track the interstate delivery of marijuana items

Must ensure that any marijuana items delivered into this state, prior to sale to a consumer, are tested, packaged and labeled according to Oregon regulations

OLCC may provide policy recommendations and assist in the implementation and enforcement of the terms of the agreement

Technical Fixes (HB 2098)



HB 2098 was signed by the Governor on June 17, 2019. The bill is mostly technical in nature, changes will be implemented through the rulemaking process.

Establishes a testing advisory committee to advise OLCC, ODA and OHA on potency testing

Allows the Oregon Liquor Control Commission to conduct pilot programs intended to improve access to medical marijuana for Oregon Medical Marijuana Program registration card holders

Defines kief and allows a marijuana producer to possess and transfer it

Allows the OLCC to restrict, suspend or refuse to renew a license if a person who does not hold a license is engaging in behavior that requires a license, or if a licensee is allowing such behavior

Allows OLCC to revoke a retailer's license for non-payment of taxes, with written notice from Department of Revenue (DOR)

Raises the upper limit of fines that can be assessed for violations of ORS 475B to \$10,000. Currently the maximum amount the OLCC can fine a licensee is \$5,000 per violation

Rulemaking was initiated at the June 2019 Commission meeting -

- OLCC will hold Rules Advisory Committee (RAC) meetings for feedback on proposed rules in Fall of 2019
- Please watch for OLCC communications about upcoming RAC's and the potency committee, established by HB 2098