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PERMANENT ADMINISTRATIVE ORDER

OLCC 201-2022

CHAPTER 845

OREGON LIQUOR AND CANNABIS COMMISSION

FILED

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Amend rules to implement legislation related to the marijuana license moratorium (House Bill 4016).

EFFECTIVE DATE: 10/22/2022

AGENCY APPROVED DATE: 10/19/2022

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RULES:

845-025-1131, 845-025-1132

AMEND: 845-025-1131

RULE TITLE: Application Submission Deadlines

NOTICE FILED DATE: 09/16/2022

RULE SUMMARY: This rule sets out application submission deadlines and implements a statutory moratorium on new licenses until March 31, 2024.

RULE TEXT:

- (1) All license applications submitted on or before January 1, 2022 through the Commission's online licensing system with the nonrefundable application fee will be held until the application is assigned to a Commission staff member.
- (2) Until March 31, 2024, applications for producer, processor, wholesaler, and retailer licenses submitted after January 1, 2022 will be inactivated.

STATUTORY/OTHER AUTHORITY: ORS 475C.017, 2022 OL Ch. 108 Sec. 1

STATUTES/OTHER IMPLEMENTED: 2022 OL Ch. 108 Sec. 1

AMEND: 845-025-1132

RULE TITLE: Prohibited Changes to License Applications

NOTICE FILED DATE: 09/16/2022

RULE SUMMARY: This rule sets out what changes may be made to a marijuana license application, and states that applicants may not change the location of a proposed licensed premises for which the application was submitted.

RULE TEXT:

(1) The Commission will not allow changes of ownership of an application after submission of an application for licensure.

(2) For purposes of this rule, "change of ownership" is defined as:

(a) Adding or replacing an applicant who will be a licensee of record; or

(b) A business changing its ownership structure such that natural persons who did not previously hold a direct or indirect interest in the business will collectively hold a direct or indirect interest of 51 percent or greater.

(3) Until March 31, 2024, an applicant that submitted an application for a producer license under ORS 475C.065, a processor license under ORS 475C.085, a wholesaler license under ORS 475C.093, or a retailer license under ORS 475C.097 on or before January 1, 2022 may not change the location of the proposed licensed premises for which the application was submitted.

STATUTORY/OTHER AUTHORITY: ORS 475C.017, 2022 OL Ch. 108 Sec. 1

STATUTES/OTHER IMPLEMENTED: 2022 OL Ch. 108 Sec. 1