



Medical Marijuana Dispensaries

Description

The League will advocate for legislative changes that will clarify and enhance public safety and local control related to marijuana.

Background

In 2013, House Bill 3460 established a means for registering the 150-200 medical marijuana dispensaries that had been operating in the state illegally but with the forbearance of most law enforcement agencies. While the legislation successfully created a licensing system and safety regulations, more work is needed to ensure public safety and local control.

Priority

The League will advocate for the following legislative changes:

- **Require employees and agents of dispensaries to pass the same background checks as proprietors.**
Owners of marijuana dispensaries must pass criminal background checks prior to receiving a license to operate. Employees and other parties affiliated with the operation of a dispensary should also be subject to criminal background checks to help keep medical marijuana in the hands of patients and not diverted to criminal activity.
- **Establish licensing and safety regulations for the manufacture of marijuana tinctures utilizing flammable or explosive materials.**
The manufacture of butane hash oil and other value-added extracts has resulted in fires, injuries and deaths in Oregon and other states. A dispensary should be required to acquire these products from a manufacturer that is licensed by the state and uses appropriate safety protocols.
- **Clarify land use regulations to ensure dispensaries are not allowed in areas inappropriate for their use or in close proximity to places where children congregate.**
The intent of HB 3460 was to prohibit dispensary operations in residential zones. However, the bill was phrased in a way that specifies which zones dispensaries are allowed in, as opposed to prohibiting them in residential zones and simply relying on the local development code to determine where a dispensary may be located in cities permitting them to operate. This language should be clarified to align with the bill's original intent to prohibit residential locations. Further, HB 3460 prohibits dispensaries within 1,000 feet of schools, but federal law creates a specific offense for distribution of controlled substances within 1,000 feet of any place children congregate. The conflict between those two requirements should also be resolved.