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“We change laws.”

Oregon’s Medical Marijuana Dispensary Law

On August 14, 2013, Gov. John Kitzhaber signed HB 3460 into law. This new law will allow registered medical marijuana facilities where medical marijuana patients in Oregon will be able to safely procure their doctor-recommended medicine. Representative Peter Buckley (D – Ashland) and Senator Floyd Prozanski (D – South Lane and North Douglas Counties) sponsored the bill, which was endorsed by Attorney General Ellen Rosenblum and the Oregon League of Cities.

- The law directs the Oregon Health Authority to set up a registration system for medical marijuana facilities. The facilities will be allowed to transfer usable marijuana and immature marijuana plants to registry identification cardholders (medical marijuana patients) and their designated primary caregivers.
- The medical marijuana facilities will not grow their own medicine. Instead, with approval from a patient to do so, they will obtain marijuana and immature plants from medical marijuana patients, designated caregivers, and persons responsible for medical marijuana grow sites.
- Medical marijuana facilities must maintain copies of all patient authorizations, as well as documentation of each transfer of usable marijuana and immature plants.
- Patients and caregivers are allowed to reimburse medical marijuana facilities for the “normal and customary costs of doing business.” In addition, facilities are allowed to reimburse individuals responsible for marijuana grow sites for the “normal and customary costs of doing business.”
- Medical marijuana facilities cannot be located within 1,000 feet of an elementary, secondary, or career school primarily attended by minors. In addition, medical marijuana facilities cannot be located within 1,000 feet of another facility.
- The Oregon Health Authority will adopt rules related to security, which must require a security system, video surveillance, an alarm system, and a safe. It will also adopt rules for testing, which will include testing for mold, mildew, and pesticides. The Health Authority will also set fees for registrations.
- Facilities will only be allowed in areas zoned for commercial or industrial land or as agricultural land. No facilities will be allowed in residential areas.
- This legislation becomes operative on March 1, 2014. Until then, medical marijuana facilities that are currently operating will be exempted from certain criminal laws so long as they are operating in accordance with the law.