

REVIEWED
DM
LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Prohibiting the Establishment of Psilocybin Product Manufacturers and Psilocybin Service Center Operators within Unincorporated Deschutes County; Referral to the Electors. *
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ORDINANCE NO. 2022-009

WHEREAS, in November 2020, Ballot Measure 109 was passed by the electors of Oregon, thereby creating a program to permit licensed service providers to administer psilocybin-producing mushroom and fungi products to individuals 21 years of age or older; and

WHEREAS, Ballot Measure 109 has been codified as ORS 475A.718; and

WHEREAS, ORS 475A.718 allows that the governing body of a county may adopt an ordinance to be referred to the electors of the county at the next statewide general election to determine whether to prohibit the establishment of Psilocybin Product Manufacturers and/or Psilocybin Service Center Operators; and

WHEREAS, any prohibition on Psilocybin approved by the electors will only apply within the unincorporated County and will not impact Psilocybin operations or businesses within any city limits; and ,

WHEREAS, to date the Oregon Health Authority has not completed rulemaking necessary to provide regulatory oversight of Psilocybin Product Manufacturers and Psilocybin Service Center Operators; and

WHEREAS, the Board of Commissioners believes that the timing is appropriate to refer this matter to the voters of Deschutes County, as authorized by Ballot Measure 109 and ORS 475A.718; now therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. In accordance with ORS 475A.718, and subject to the vote of the electors at the November 8, 2022 General Election, the following are prohibited in the unincorporated areas subject to the jurisdiction of Deschutes County:

- (a) Psilocybin Product Manufacturing;
- (b) Psilocybin Service Center Operations;

Section 2. This ordinance shall be referred to the electors of Deschutes County at the General Election on Tuesday, November 8, 2022.

Section 3. The text of this ordinance shall be provided to the Oregon Health Authority.

Section 4. Effective Date. Pursuant to ORS 203.045(9), this ordinance takes effect upon approval of a majority of those voting on the proposed ordinance.

Dated this _____ of _____, 2022

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, Chair

ANTHONY DEBONE, Vice Chair

ATTEST:

Recording Secretary

PHIL CHANG, Commissioner

Date of 1st Reading: 20 day of July, 2022.

Date of 2nd Reading: _____ day of _____, 2022.

Record of Adoption Vote:

Commissioner	Yes	No	Abstained	Excused
Phil Chang	—	—	—	—
Patti Adair	—	—	—	—
Anthony DeBone	—	—	—	—

Effective date: Upon approval of a majority of those voting on the proposed ordinance at the November 8, 2022 General Election.