

# CALIFORNIA SB 1262

## REGULATIONS FOR THE MEDICAL CANNABIS INDUSTRY

**CORREA / AMMIANO**



**BACKGROUND:** California voters approved the Compassionate Use Act (Proposition 215) in 1996, but the state has been slow to implement the law. Cities and counties have adopted a patchwork of local ordinances to regulate, tax, or ban medical cannabis providers associations. This inconsistency has created a situation where safe and legal access to medical cannabis is inconsistent in California. Patients in some communities enjoy long-established, well-regulated access, while others live in “access deserts” – regions with no practical way to obtain legal medical cannabis.

ASA’s research and experience with local policies show that sensible regulations preserve access for legal patients and reduce crime and complaints in neighborhoods. Legal patients in California and other stakeholders have waited too long for these proven benefits of regulation. Unfortunately, this issue remains divisive and controversial. Until now, there has been little opportunity for consensus on statewide regulations and permitting for medical cannabis cultivators, providers, and other industry participants.

Senator Lou Correa and Assembly Member Tom Ammiano have introduced SB 1262, a bill that will better regulate commercial medical cannabis activity and doctors who recommend medical cannabis. The bill is sponsored by the California Police Chiefs Association and the California League of Cities, two influential lobbyist organizations that have opposed all medical cannabis regulation until this year. The fact that these two organizations have abandoned their knee-jerk opposition and come to the table to negotiate regulations presents a unique opportunity.

**NEEDED IMPROVEMENTS:** SB 1262 is an important step towards regulating medical cannabis and expanding safe access to legal patients in access deserts. However, the bill still needs significant amendments to best serve legal patients and other stakeholders.

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## Needed improvements include:

- Changing the requirement that local governments specifically permit cultivation projects before the state issues a license,
- Allowing applicants to hold more than one category of license at the same time – e.g. cultivation, processing, and distribution,
- Deleting the statewide cap on the number of licensed cultivators,
- Modifying the language that would prevent anyone with a felony conviction, including a medical cannabis conviction, from holding a license
- Removing the provision that allows counties to impose unlimited taxes on medical cannabis activity
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ASA’s support for SB 1262 is contingent on improvements that make the bill more beneficial for medical cannabis patients and other stakeholders. We are calling on the Authors and their colleagues to keep listening to constructive input. They need to amend SB 1262 at the Assembly Appropriations Committee or on the Assembly floor. Patients cannot support the bill if that opportunity is missed.

**ADDITIONAL COMMENTS:** \_\_\_\_\_

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