



REGULATING MEDICAL CANNABIS CULTIVATION

Americans for Safe Access (ASA) supports sensible regulations for medical cannabis cultivation that protect the welfare of patients, cultivators, and the community. To that end, medical cannabis cultivation should be regulated like other agricultural products, not saddled with unreasonable restrictions. Furthermore state regulation of medical cannabis should allow for both indoor and outdoor cultivation, sufficient cultivation area, and responsible environmental practices.

Lawmakers and regulators should look to the science-based regulations in the Recommendations for Regulators published by the American Herbal Products Association in 2014 for guidance on creating appropriate laws and regulations.

Commercial regulations should never prevent individual qualified patients, primary caregivers, or non-commercial cooperatives from growing medicine for the patient's own personal use.

AB 243 (Woods) – Oppose, Unless Amended

Location – Senate

This bill will require permits for commercial cultivation of medical cannabis and require indoor and outdoor medical marijuana cultivation to be conducted in accordance with state and local laws and best practices related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters. While these goals are admirable, the bill's 99-plant limit on cultivation is unworkable for growers choosing to use the most sustainable practices. Regulators may need more time, information, and flexibility to set reasonable rules for medical cannabis cultivation. The environmental protections in AB 243 should be included in a comprehensive medical cannabis regulatory bill, like AB 266 (Bonta).

SB 165 (Mooning) – Oppose

Location – Assembly

This bill will increase civil penalties for violations related to cannabis cultivation on public and private land. Unfortunately, the bill fails to adequately distinguish between legal cultivation of medical cannabis and illegal cultivation of cannabis. The bill does not specifically exempt property owners cultivating legal medical cannabis on their own property or tenants cultivating legal medical cannabis with the property owner's consent from increased penalties. Increasing penalties is unlikely to deter the small number of bad actors who are engaged in problematic behavior. However, there is a chance legal qualified patients or primary caregivers will be affected. This type of regulations should be included in a comprehensive medical cannabis regulatory bill, like AB 266 (Bonta).

