



**From:** Don Duncan [don@safeaccessnow.org](mailto:don@safeaccessnow.org)  
**Subject:** AB 243 in Senate Governance and Finance Committee - Oppose  
**Date:** July 6, 2015 at 8:03 AM  
**To:** [elizabeth.bojorquez@sen.ca.gov](mailto:elizabeth.bojorquez@sen.ca.gov)

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Dear Elizabeth,

Americans for Safe Access (ASA), the nation's leading medical cannabis patients' advocacy organization, opposes AB 243 as amended July 2, 2015. ASA supports sensible regulations for medical cannabis cultivation, including regulations to protect ecosystems. However, AB 243 would impose an impractical regulatory regime based on tracking and taxing individual plants. The bill also contains an urgency clause that would cut off virtually all legal medical cannabis cultivation in California immediately.

Some specific concerns include:

1. The requirement in subsection (d) for a unique identifying number on every cannabis plant is impractical. There is no other agricultural crop that is regulated statewide at the individual plant level, including tobacco, because doing so is burdensome and expensive. It makes more sense to regulate cultivation by parcel and canopy size.
2. The \$50 per plant tax will be passed on to consumers, who are already paying as much as ten percent above ordinary sales tax for medical cannabis in some jurisdictions. This new tax is unnecessary. The cost of a regulatory program should be included in the licensing and permitting fees associated with commercial cultivation or other activity. There is no need for additional taxes on doctor-recommended medical cannabis.
3. Making the bill effective immediately would cut off virtually all access to legal medical cannabis in California. It will take months or years for cities and counties to issue Conditional Use Permits for medical cannabis cultivation. In the meantime, most legal patients in the state will be without legal medicine. This is harmful and unfair. Any rational licensing scheme will allow for an adequate time to obtain the necessary state and local permits.

ASA asks members of the Senate Governance and Finance Committee to hold AB 243 in committee so that the Author can find better solutions. It may also be useful to reevaluate the bill in light of more comprehensive legislation, which may address some of the Author's concerns.

Thank you,

Don

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