

## Assembly Bill 21

### Assemblymember Jim Wood

#### EXISTING LAW

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Existing law provides that if a city or county does not have land use regulations or ordinances regulating commencing March 1, 2016, the Department of Food and Agriculture is the sole licensing authority for medical marijuana cultivation applicants in that city or county.

#### BACKGROUND

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The Medical Marijuana Regulation and Safety Act (MMRSA) created a requirement for local jurisdictions to develop regulations for the cultivation of medical marijuana by March 1st, 2016, or relinquish that authority to the State. Since MMRSA was signed by Governor Brown in October 2015, many cities and counties have rushed to put in place bans on medical marijuana as a "placeholder" for the March 1<sup>st</sup> requirement, but MMRSA never intended for that date to be in the final product.

Given the upcoming date, there needs to be an urgent clean-up bill to resolve the inadvertent drafting error contained in the MMRSA. Local jurisdictions are under the assumption that they are required to pass land use regulations for medical marijuana cultivation by the March 1<sup>st</sup>, 2016 date to maintain local control over medical marijuana cultivation, which, again, was never the intention of MMRSA. MMRSA

also created the Bureau of Medical Marijuana Regulation (Bureau) within the Department of Consumer Affairs. The Bureau, the entity responsible for developing the states regulations, currently only exists on paper. It will be many months before the Bureau has the capacity to develop and enforce statewide regulations.

#### BILL SUMMARY

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AB 21 removes the March 1<sup>st</sup> deadline completely, allowing local jurisdictions more time to create thoughtful regulations around the cultivation of medical marijuana.

#### SUPPORT

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California Police Chiefs Association  
 California State Association of Counties  
 County of Del Norte  
 County of Humboldt  
 County of Merced  
 County of Sacramento  
 County of Siskiyou  
 County of Solano  
 County of Sonoma  
 County of Tulare  
 League of California Cities  
 Rural County Representatives of California  
 Urban Counties of California

#### STATUS

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Senate Governance and Finance  
 Senate Health

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