

# Reginald Byron Jones-Sawyer, Sr.

## 59<sup>th</sup> Assembly District



### AB 1578: The Legal Cannabis Protection Act

#### SUMMARY

AB 1578 will provide protection to Californians, who are operating cannabis activities lawfully, by giving local and state agencies the ability to legally withhold their assistance in federal enforcement efforts.

#### BACKGROUND

In 1996, California voters approved Proposition 215, to allow persons to use cannabis upon the recommendation of a physician.

In 2008, then AG Jerry Brown issued guidance on medical cannabis to help law enforcement agencies perform their duties effectively and to assist patients and caregivers on how to produce and access medical cannabis legally.

In 2013, the US Department of Justice issued guidance to federal attorneys and law enforcement agencies, which provided that states that had a robust, funded and effective regulation and enforcement system, and prevented diversion of cannabis to minors, illegal markets, and/or across state lines, would not be prioritized for federal law enforcement.

In 2015, Governor Jerry Brown signed bills to regulate and control medical cannabis. Collectively, these bills are referred to as the Medical Cannabis Regulation and Safety Act (MCRSA), which comport with federal guidelines articulated in the 2013 memo.

In 2016, the voters of California overwhelmingly approved Proposition 64, the Adult Use of Cannabis Act. Prop 64 built upon the regulatory framework created by MCRSA.

In 2018, the current Federal Attorney General has rescinded the Obama-era cannabis policy and has reverted to the Controlled Substance Act of 1970. This will lead to a crackdown on the recreational use of cannabis, which can force the use of state and local resources for this administration's agenda. This is an overreach that would completely undermine both the will of California voters and the laws approved by our State Legislature. Therefore, state resources that are paid by tax dollars should not be used to disrupt lawful cannabis businesses.

#### THIS BILL

AB 1578 adds a section to the Health & Safety Code to ensure that absent a court order signed by a judge, a state or local agency (including law enforcement and regulatory agencies) shall NOT:

- Use agency resources to assist a federal agency to investigate, detain, report, or arrest a person for cannabis activity authorized by state law.
- Respond to a request by a federal agency for information about a person who is authorized to possess, cultivate, transport, manufacture, or sell cannabis or cannabis products, if that request is made to enforce federal laws.
- Provide information about a person who has applied for or received a license to operate legally under state cannabis laws.

#### COST ANALYSIS

There is no economic burden or additional cost to California taxpayers.

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## SUPPORT

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- Drug Policy Alliance (Sponsor)
- A New Way of Life Reentry Project (ANWOL)
- ACLU of California Americans for Safe Access (ASA)
- Amity Foundation
- Angeles Emeralds
- Black American Political Association of California (BAPAC)
- Broken No More
- Brownie Mary Democratic Club of California
- Cage Free Cannabis
- California Association of Alcohol and Drug Program Executives (CAADPE)
- California Cannabis Manufacturers Association (CCMA)
- California Council of Churches
- California Minority Alliance
- California Chapter of the National Organization for the Reform of Marijuana Laws (California NORML)
- California Public Defenders Association
- California Society of Addiction Medicine (CSAM)
- California State Conference of the NAACP (CA-NAACP)
- California Youth Empowerment Network (CAYEN)
- Center for Living and Learning
- City of Oakland
- City of West Hollywood
- Courage Campaign
- El Grupo
- Fewlas Entertainment
- Fralin Commercial
- Homeless Health Care Los Angeles
- Humboldt Cannabis Tours
- Immigrant Legal Resources Center (ILRC)
- Immigrant Youth Coalition
- International Cannabis Farmers Association
- Institution of the Black World 21<sup>st</sup> Century (IBW)
- Law Enforcement Action Partnerships (LEAP)
- Los Angeles Cannabis Taskforce
- Los Angeles Regional Reentry Partnership (LARRP)
- Margo Advisors
- Marijuana Policy Project (MPP)
- Mental Health America of California (MHA)
- National Latino Evangelical Coalition
- Needle Exchange Emergency Distribution
- Service Employees International Union California (SEIU)
- South Los Angeles Reintegration Council
- Southern California Coalition (SCC)
- Starting Over Inc.
- Tarzana Treatment Centers (TCC)
- The Bradco Companies
- The Southern California Coalition
- The City of Refuge
- UCBA Trade Association
- Watershed Resources Consulting
- William C. Velasquez Institute (WCVI)

## CONTACT

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