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Issue #9

Medical Marijuana Clean-Up Bill Heads to Governor

League-Supported AB 21 Eliminates March 1 Cultivation Deadline for Local Governments

The Assembly today unanimously passed AB 21 (Wood) on a vote of 66-0, sending the bill to Gov. Jerry Brown for his expected signature. As an urgency measure, it will take effect immediately upon the Governor's signature. This important League-supported legislation removes the March 1, 2016 deadline for cities and counties to pass cultivation ordinances or face state pre-emption. Introduced on Jan. 5, the final action on AB 21 late this week culminates a mere 24 days of legislative work by Assembly Member Jim Wood (D-Healdsburg) with the strong backing of the League of California Cities, the California Police Chiefs Association, patient advocates, industry and other stakeholders.

League Executive Director Chris McKenzie acknowledged Assembly Member Wood's leadership on quickly addressing this pressing issue. "As a former city council member, Dr. Wood truly understands how state action affects local government, and that is why his commitment to pursue a legislative fix on this provision was so strong. The League commends him for his outstanding leadership and diligence in securing prompt legislative action as he promised last year when the mistaken deadline was discovered in the medical marijuana legislation. The full Legislature should be commended as well for acting promptly to preserve this essential element of local control in the state's medical marijuana legislative program."

This development will remove the threat of state pre-emption, and consequently the urgency many local governments have felt to enact cultivation regulations, following the approval last year of the Medical Marijuana Regulation and Safety Act. It will allow ample time for cities and counties to engage in thoughtful research, deliberation, and debate on the local regulations that best reflect the priorities and needs of their respective communities in this area without the pressure of the need to act hastily to preserve their local regulatory authority.

AB 21 also provides cities that have already adopted medical marijuana ordinances the time to consider the advisability of any possible refinements or amendments to those local laws now that the unfortunate pre-emption deadline has been removed from state law.

Materials available on the League's medical marijuana webpage (www.cacities.org/MedicalMarijuana) can assist cities that may desire to reconsider their prior ordinances or enact new ordinances concerning the cultivation of medical marijuana.