

BOARD OF SUPERVISORS

Terrell Swofford, 1st District
Kevin Goss, 2nd District
Sharon Thrall, Chair 3rd District
Lori Simpson, Vice Chair 4th District
Jeff Engel, 5th District

**AGENDA AND NOTICE OF SPECIAL MEETING OF JANUARY 26, 2016
TO BE HELD AT 10:00 A.M. IN THE MINERAL BUILDING
PLUMAS-SIERRA COUNTY FAIRGROUNDS, QUINCY, CALIFORNIA**

www.countyofplumas.com

AGENDA

The Board of Supervisors welcomes you to its meetings which are regularly held on the first three Tuesdays of each month, and your interest is encouraged and appreciated.

Any item without a specified time on the agenda may be taken up at any time and in any order. Any member of the public may contact the Clerk of the Board before the meeting to request that any item be addressed as early in the day as possible, and the Board will attempt to accommodate such requests.

Any person desiring to address the Board shall first secure permission of the presiding officer. For noticed public hearings, speaker cards are provided so that individuals can bring to the attention of the presiding officer their desire to speak on a particular agenda item.

Any public comments made during a regular Board meeting will be recorded. The Clerk will not interpret any public comments for inclusion in the written public record. Members of the public may submit their comments in writing to be included in the public record.



REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (530) 283-6170. Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility. Auxiliary aids and services are available for people with disabilities.

STANDING ORDERS

10:00 A.M. **CALL TO ORDER/ROLL CALL**

PLEDGE OF ALLEGIANCE

ADDITIONS TO OR DELETIONS FROM THE AGENDA

PUBLIC COMMENT OPPORTUNITY

Matters under the jurisdiction of the Board and listed on this notice of special meeting may be addressed by the general public at the beginning of the agenda. Any member of the public wishing to address the Board during the "Public Comment" period will be limited to a maximum of 3 minutes.

ACTION AGENDA

1. **PLANNING** – Randy Wilson

PUBLIC HEARING: to Consider Adoption of Uncodified Urgency Ordinance(s) Pursuant to Government Code Section 65858 Imposing a Temporary Moratorium on the Cultivation of Medical Marijuana, Establishment of Medical Marijuana Dispensaries, and/or Delivery of Medical Marijuana in the Unincorporated Areas of Plumas County. This public hearing is being held pursuant to Government Code §65090. Discussion and possible action

ADJOURNMENT

Adjourn meeting to Tuesday, February 02, 2016, Board of Supervisors Room 308, Courthouse, Quincy, California.



PLUMAS COUNTY PLANNING & BUILDING SERVICES

555 Main Street, Quincy, CA 95971 www.countyofplumas.com
(530) 283-7011

DATE: January 26, 2016

TO: Honorable Chair and Members of the Board of Supervisors

FROM: Randy Wilson, Plumas County Planning Director *RW*

RE: Public Hearing to Consider Adoption of Uncodified Urgency Ordinance(s) Pursuant to Government Code Section 65858 Imposing a Temporary Moratorium on the Cultivation of Medical Marijuana, Establishment of Medical Marijuana Dispensaries, and/or Delivery of Medical Marijuana in the Unincorporated Areas of Plumas County. This public hearing is being held pursuant to Government Code Sections 65090.

Background

On January 5, 2016, the Board of Supervisors decided to have a noticed public hearing to consider Urgency Ordinance(s) imposing a temporary moratorium on 1) the cultivation of medical marijuana, 2) establishment of medical marijuana dispensaries, and/or 3) delivery of medical marijuana in the unincorporated areas of Plumas County.

Attached to this memo are the materials presented to the Board of Supervisors at the January 5, 2016, meeting. These materials include staff's memo, which presents a background of the recent state legislation signed into law by Governor Brown, and the status of cultivation and dispensing medical marijuana under the County Zoning Code, which does not allow the growing and dispensing of medical marijuana. Along with staff's January 5, 2016, memo is a copy of the Medical Marijuana Regulation and Safety Act (MMRSA), which is the term used for the recent state legislation. Also included in the January 5, 2016, packet is a copy of the Sheriff's Memo and supporting reports regarding issues of marijuana in Plumas County. The Board of Supervisors and the public are encouraged to review these attached materials.

Proposed Urgency Ordinances

The cultivation and dispensing of marijuana (medical or otherwise) in Plumas County (excluding the City of Portola) is currently prohibited by Plumas County ordinance. Plumas County's Zoning Code is a "permissive zoning code". Uses in the various zones are defined in the Zoning Code. Uses not defined or similar are not allowed in the various zones. The growing and distribution of medical marijuana are not listed in any of the various zones contained within the Zoning Code. Therefore, the growing and distribution of medical marijuana is not legally allowed on any of the lands covered by the Plumas County Zoning Code.

While the Plumas County Zoning Code does not legally allow the growing or distributing of marijuana, this legal fact is not well known or understood by the general public whether within Plumas County or outside Plumas County. Someone searching the Plumas County Zoning Code

will not find mentioned any place the word “marijuana” and may assume that because the Zoning Code does not specifically mention medical marijuana in any manner that growing and distributing medical marijuana is legal in Plumas County, when in fact doing so is illegal under local land use ordinances.

Attached for the Board’s consideration are three proposed urgency ordinances, which provide an “expressed prohibition” and “expressed notice” that the cultivation, dispensing, and delivery of medical marijuana is not allowed in the unincorporated area of Plumas County. These urgency ordinances, if passed by the Board of Supervisors, will place a 45-day moratorium on the cultivation, dispensing, and delivery of medical marijuana. The Board of Supervisors, in order to adopt one or all of these urgency ordinances, must do so by a 4/5 vote. These urgency ordinances may be extended for 22 months and 15 days after a public notice and a public hearing by a 4/5 vote of the Board of Supervisors. These urgency ordinances are attached to this staff memo.

Medical Marijuana Cultivation Urgency Ordinance

Business and Professions Code Section (MMRSA) 19300.5(l) defines cultivation of medical marijuana as, “...any activity involving the planting, harvesting, drying, curing, grading, or trimming of cannabis (marijuana).”

Should the Board of Supervisors pass, again by a 4/5 vote, this urgency ordinance, an *expressed* ban on cultivation of medical marijuana for commercial purposes, an *expressed* ban on cultivation of medical marijuana by qualified patients pursuant to Health and Safety Code Section 11362.7, and an *expressed* ban on cultivation of medical marijuana by qualified caregivers for qualified patients pursuant to Health and Safety Code Section 11362.7 will go into effect for 45 days in the unincorporated areas of Plumas County covered by the Plumas County zoning Code.

Medical Marijuana Dispensary Urgency Ordinance

Business and Professions Code Section (MMRSA)19300.5(n) defines a medical marijuana dispensary as, “...a facility where medical cannabis (marijuana), medical cannabis (marijuana) products, or devices for use of medical cannabis (marijuana) or medical cannabis (marijuana) products are offered, either individually or in any combination, for retail sale, including an establishment that delivers, pursuant to express authorization by ordinance, medical cannabis (marijuana) and medical cannabis (marijuana) as part of a retail sale.”

Please review the attach urgency ordinance regarding dispensaries, which outlines what a medical marijuana dispensary does not include.

Should the Board of Supervisors pass, again by a 4/5 vote, this urgency ordinance, an *expressed* ban on medical marijuana dispensaries will go into effect for 45 days in the unincorporated areas of Plumas County covered by the Plumas County zoning Code.

Medical Marijuana Delivery Urgency Ordinance

Unlike cultivation of medical marijuana and dispensing of medical marijuana that may be prohibited by a permissive zoning, delivery of medical marijuana must be expressly prohibited by local ordinance, otherwise delivery is allowed under Health and Safety Code Section 19340(a) which states, "Deliveries, as defined in this chapter, can only be made by a dispensary and in a city, county, or city and county that does not explicitly prohibit it by local ordinance."

Business and Professions Code Section (MMRSA) 19300.5(m) defines medical marijuana delivery as, "the commercial transfer of medical cannabis (marijuana) or medical cannabis (marijuana) products from a dispensary, up to an amount determined by the bureau to a primary caregiver or qualified patient as defined in Section 11362.7 of the Health and Safety Code, or a testing laboratory. "Delivery" also includes the use by a dispensary of any technology platform owner and controlled by the dispensary, or independently licensed under this chapter, that enables qualified patients or primary caregivers to arrange for or facilitate the commercial transfer by a licensed dispensary of medical cannabis (marijuana) or medical cannabis (marijuana) products."

Should the Board of Supervisors pass, again by a 4/5 vote, this urgency ordinance, an expressed ban on medical marijuana deliveries will go into effect for 45 days in the unincorporated areas of Plumas County covered by the Plumas County zoning Code.

Transportation

Business and Professions Code (MMRSA) Section 19300.5(aa) defines transporter as, "...a person issued a state license by the bureau to transport medical cannabis (marijuana) or medical cannabis (marijuana) in an amount above a threshold determined by the bureau between facilities that have been issued a state license pursuant to this chapter. Under Section 19338(b) of the Business and Professions Code (MMRSA), "A local jurisdiction shall not prevent transportation of medical cannabis (marijuana) or medical cannabis (marijuana) products on public roads by a licensee transporting medical cannabis (marijuana) or medical cannabis (marijuana) products in compliance with the chapter."

California Environmental Quality Act (CEQA)

Should the Board of Supervisors pass one or all of these urgency ordinances, which are exempt from the California Environmental Quality Act (CEQA) because they make no changes by preserving the status quo, this will lead to the study of the issues and development of permanent ordinances through a public process involving the Planning Commission making recommendations to the Board of Supervisors. Proposals to allow medical marijuana cultivation, dispensing, and delivery would constitute a change in the status quo and would require an analysis under the CEQA.

Should the Board of Supervisors decide not to pass the urgency ordinances, the Board can direct the Planning Department and Planning Commission to develop ordinances addressing medical marijuana.

Staff Comment Regarding the Medical Marijuana Regulation and Safety Act

Attached to this Planning Department Staff Memo is a complete copy of the Medical Marijuana Regulation and Safety Act (MMRSA), which amends several state codes such as the Business and Professions Code and the Health and Safety Code. Staff below provides key sections of the MMRSA regarding Plumas County's legal authority within the MMRSA to regulate the growing of medical marijuana by both commercial growers and qualified patients and caregivers.

MMRSA Sections Local Authority

Health and Safety Code (MMRSA) Section 11362.777 (c)(4) states, "If a city, county, or city and county does not have land use regulations or ordinances regulating or prohibiting the *cultivation of marijuana*, either expressly or otherwise under principles of permissive zoning, or chooses not to administer a conditional permit program pursuant to this section, then commencing March 1, 2016, the division (state) shall be the sole licensing authority for medical marijuana cultivation applicants in that city, county, or city and county."

This section is what is driving local jurisdictions throughout California to address medical marijuana regulations at a local level. Currently, there is a bill, AB 21, in the Legislature proposing to remove this section of the MMRSA. A copy of this bill as amended by the Assembly on January 4, 2016, is attached. This bill may or may not be passed, and if passed may be different from the versions attached to this staff memo. Staff will continue to monitor the progress of this bill and update the Board of Supervisors at the January 26, 2016, public hearing. Should this bill pass, other urgency factors will need to be considered to justify enactment of the moratorium ordinances such as law enforcement, public nuisance, or other considerations.

Business and Professions Code (MMRSA) Section 19315(a) states, "Nothing in this chapter shall be interpreted to supersede or limit existing local authority for law enforcement activity, enforcement of local zoning requirements or local ordinances, or enforcement of local permit or licensing requirements."

Health and Safety Code (MMRSA) Section 11362.777(g) states, "This section does not apply to a qualified patient cultivating marijuana pursuant to Section 11362.5 if the area he or she uses to cultivate marijuana does not exceed 100 square feet and he or she cultivates marijuana for his or her personal medical use and does not sell, distribute, donate, or provide marijuana to any other person or entity. This section does not apply to a primary caregiver cultivating marijuana pursuant to Section 11362.5 if the area he or she uses to cultivate marijuana does not exceed 500 square feet and he or she cultivates marijuana exclusively for personal medical use of no more than five specified patients for whom he or she is the primary caregiver within the meaning of Section 11362.7 and does not receive remuneration for these activities, except for compensation provided in full compliance with subdivision (c) of Section 11362.765. For purposes of this section, the area used to cultivate marijuana shall be measured in the aggregate area of vegetative growth of live marijuana plants on the premises. *Exception from the requirements of this section does not limit or prevent a city, county, or city and county from regulating or banning the cultivation, storage, manufacture, transport, provision, or other activity by the exempt person, or impair the enforcement of that regulation or ban.*"

Business and Professions Code (MMRSA) Section 19320(a) states, "Licensing authorities administering this chapter may issue state licenses only to qualified applicants engaging in commercial cannabis (marijuana) activity pursuant to this chapter. Upon the date of implementation of regulations by the licensing authority, no person shall engage in commercial cannabis (marijuana) activity without possessing both a state license and a local permit, license, or other authorization. A licensee shall not commence activity under the authority of a state license until the applicant has obtained, in addition to a state license, a license or permit from the local jurisdiction in which he or she proposes to operate, following the requirements of the applicable local ordinance."

Business and Professions Code (MMRSA) Section 19316(a) states, "Pursuant to Section 7 of Article XI of the California Constitution, a city, county, or city and county may adopt ordinances that establish additional standards, requirements, and regulations for the local licenses and permits for commercial cannabis (marijuana) activity. Any standards, requirements, and regulations regarding health and safety, testing, security, and worker protections established by the state shall be the minimum standards for all licensees statewide."

Clearly, a local jurisdiction, such as Plumas County, retains the ability to regulate medical marijuana under the MMRSA at the local level including the ability to ban or put into place specific zoning regulations regarding the cultivation, dispensing, and delivery of medical marijuana for commercial purposes and including qualified patients and caregivers up to a complete ban on such activity.

MMRSA Qualified Patients and Caregivers

Business and Professions Code (MMRSA) Section 19319(a) states, "A qualified patient, as defined in Section 11362.7 of the Health and Safety Code, who cultivates, possesses, stores, manufactures, or transports cannabis (marijuana) exclusively for his or her personal medical uses but who does not provide, donate, sell or distribute cannabis (marijuana) to any other person is not thereby engaged in commercial cannabis (marijuana) activity and therefore exempt from the licensure requirements of this chapter."

Business and Professions Code (MMRSA) Section 19319(b) states, "A primary caregiver who cultivates, possesses, stores, manufactures, transports, donates, or provides cannabis (marijuana) exclusively for personal medical purposes of no more than five specified qualified patients for whom he or she is a primary caregiver within the meaning of Section 11362.7 of the Health and Safety Code, but does not receive remuneration for these activities except for compensation in full compliance with subdivision (c) of Section 11362.765 of the Health and Safety Code, is exempt from license requirements of this Chapter."

For clarity, please note that Health and Safety Code Section below has been stated above under MMRSA Sections Local Authority. Staff is restating this Section as this area of the staff memo also relates to MMRSA Qualified Patients and Caregivers.

Health and Safety Code (MMRSA) Section 11362.777(g) states, "This section does not apply to a qualified patient cultivating marijuana pursuant to Section 11362.5 if the area he or she uses to cultivate marijuana does not exceed 100 square feet and he or she cultivates marijuana for his or

her personal medical use and does not sell, distribute, donate, or provide marijuana to any other person or entity. This section does not apply to a primary caregiver cultivating marijuana pursuant to Section 11362.5 if the area he or she uses to cultivate marijuana does not exceed 500 square feet and he or she cultivates marijuana exclusively for personal medical use of no more than five specified patients for whom he or she is the primary caregiver within the meaning of Section 11362.7 and does not receive remuneration for these activities, except for compensation provided in full compliance with subdivision (c) of Section 11362.765. For purposes of this section, the area used to cultivate marijuana shall be measured in the aggregate area of vegetative growth of live marijuana plants on the premises. *Exception from the requirements of this section does not limit or prevent a city, county, or city and county from regulating or banning the cultivation, storage, manufacture, transport, provision, or other activity by the exempt person, or impair the enforcement of that regulation or ban.*

Again, the MMRSA provides a county or city the ability to regulate and/or ban the cultivation of medical marijuana by qualified patients and caregivers. Staff's understanding of AB 21 is that there is consideration or discussion to prohibit local regulation of qualified patient and caregiver cultivation of medical marijuana. Staff will provide an update to AB 21 at the public hearing.

MMRSA Commercial Medical Marijuana Cultivation

Business and Professions Code (MMRSA) Section 19300.5(l) defines commercial cannabis (marijuana) activity as including, "...cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, or sale of medical cannabis (marijuana) or medical cannabis (marijuana) product, except as set forth in Section 19319, related to qualifying patients and primary caregivers."

Health and Safety Code (MMRSA) Section 11362.777(a) states, "The Department of Food and Agriculture shall establish a Medical Cannabis (marijuana) Cultivation Program to be administered by the secretary, except as specified in subsection (c), shall administer this section as it pertains to the cultivation of medical marijuana. For purposes of this section and Chapter 3.5 (commencing with Section 19300) of the Business and Professions Code, medical cannabis (marijuana) is an agricultural product."

Health and Safety Code (MMRSA) Section 11362.777 states:

"(b)(1) A person or entity shall not cultivate medical marijuana without first obtaining both of the following:

(A) A license, permit, or other entitlement, specifically permitting cultivation pursuant to these provisions, from the city, county, or city and county in which the cultivation will occur.

(B) A state license issued by the department pursuant to this section.

(2) A person or entity shall not submit an application for a state license issued by the department pursuant to this section unless that person or entity has received a license, permit, or other entitlement, specifically permitting cultivation pursuant to these provisions, from the city, county, or city and county in which the cultivation will occur.

(3) A person or entity shall not submit an application for a state license issued by the department pursuant to this section if the proposed cultivation of marijuana will violate the provisions of any local ordinance or regulation, or if medical marijuana is prohibited by the city, county, or city and county in which cultivation is proposed to occur, either expressly or otherwise under the principles of permissive zoning.”

Health and Safety Code (MMRSA) Section 11362.777(c)(1), states, “Except as otherwise specified in this subdivision, and without limiting any other local regulation, a city, county, or city and county, through its current or future land use regulations or ordinance, may issue or deny a permit to cultivate medical marijuana pursuant to this section. A city, county, or city and county may inspect the intended site for suitability prior to issuing a permit. After the city, county, or city and county has approved a permit, the applicant shall apply for a state medical marijuana cultivation license from the department. A locally issued cultivation permit shall only be active upon licensing by the department and receiving final local approval. A person shall not cultivate medical marijuana prior to obtaining both a permit from the city, county, or city and county and state medical marijuana cultivation license from the department.”

Health and Safety Code (MMRSA) Section 11362.777(d)(3) states, “The secretary may enter into a cooperative agreement with a county agricultural commissioner to carry out the provisions of this chapter, including, but not limited to, administration, investigations, inspections, licensing and assistance pertaining to the cultivation of medical marijuana. Compensation under the cooperative agreement shall be paid from assessments and fees collected and deposited pursuant to this chapter and shall provide reimbursement to the county agricultural commissioners for the associated costs.”

Business and Professions Code (MMRSA) Section 19348(a)(1) states, “A county may impose a tax on the privilege of cultivating, dispensing, producing, processing, preparing, providing, selling, or distributing medical cannabis (marijuana) or medical cannabis (marijuana) products by a licensee operating pursuant to this chapter.”

Clearly, the MMRSA states that qualified patients and caregivers do not have to acquire a state issued license to cultivate medical marijuana. The MMRSA does set forth state standards for licenses for commercial cultivation of medical marijuana and requires local jurisdictions, if they choose to sanction or permit commercial cultivation of medical marijuana, to do so prior to issuance of a state license. Local standards for cultivation of medical marijuana can be more restrictive, but not less restrictive than state standards.

ACTIONS FOR CONSIDERATION

Staff respectfully recommends the Board of Supervisors consider taking one of the following actions:

- I. Adopt zoning moratorium ordinances expressly prohibiting medical marijuana activities in Plumas County pending further study by Plumas County staff, proceedings by the Plumas County Planning Commission, and community outreach, leading to the development of comprehensive plan for local marijuana activity licensing and regulation.
- II. Without adopting zoning moratorium ordinances, refer the matter to the Plumas County Planning Commission for study and proceedings pursuant to the State Zoning Law leading to recommendations to the Plumas County Board of Supervisors concerning the regulation and possible licensing of medical marijuana activities within the jurisdiction of Plumas County, finding that:
 - A. The Plumas County General Plan and Zoning Code are *permissive* in legal nature, and
 - B. Neither the Plumas County General Plan nor the Zoning Code *expressly* allow the cultivation and distribution medical marijuana.
- III. Provide other direction to staff regarding medical marijuana.

Attachments:

Urgency Ordinance imposing a temporary moratorium on the cultivation of medical marijuana in the unincorporated areas of Plumas County.

Urgency Ordinance imposing a temporary moratorium on the establishment of medical marijuana dispensaries in the unincorporated areas of Plumas County.

Urgency Ordinance imposing a temporary moratorium on the delivery of medical marijuana in the unincorporated areas of Plumas County.

January 5, 2016, Staff Memo to the Board of Supervisors.

State of California Medical Marijuana Regulation and Safety Act approved by the Governor on October 9, 2015 (Compilation of AB 243, AB 266, and SB 643).

Memo from the Plumas County Sheriff regarding issues of growing medical marijuana in Plumas County.

Copy of pending AB 21

ORDINANCE NO. _____

**AN UNCODIFIED URGENCY ORDINANCE OF THE COUNTY OF PLUMAS,
ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858, IMPOSING A
TEMPORARY MORATORIUM ON THE CULTIVATION OF MEDICAL CANNABIS
(MARIJUANA) IN THE UNINCORPORATED AREAS OF THE COUNTY OF PLUMAS**

WHEREAS, in 1996, the voters of the State of California approved Proposition 215 which was codified as Health and Safety Code Section 11362.5, and entitled "The Compassionate Use Act of 1996" (the "Compassionate Use Act"); and

WHEREAS, the intent of the Compassionate Use Act was to enable persons who are in need of marijuana for medical purposes to obtain and use it under limited, specific circumstances; and

WHEREAS, on January 1, 2004, Senate Bill 420, codified as Health and Safety Code Sections 11362.7, and following, and entitled "The Medical Marijuana Program," became effective to clarify the scope of the Compassionate Use Act; and

WHEREAS, on October 9, 2015, the Governor of the State of California approved Assembly Bill 243, Assembly Bill 266, and Senate Bill 643 authorizing the promulgation of regulations and standards relating to medical cannabis (also known as marijuana) and its cultivation, including the licensing of cultivation sites by state and local agencies; and

WHEREAS, Assembly Bill 243 provides at Health and Safety Code Section 11362.777(c)(4) that if county does not have land use regulations or ordinances regulating or prohibiting the cultivation of cannabis (marijuana), either expressly or otherwise under principles of permissive zoning, or chooses not to administer a conditional permit program pursuant to newly enacted Health and Safety Code section 11362.777, then commencing March 1, 2016, the State of California shall be the sole licensing authority for medical cannabis (marijuana) cultivation applicants in that county; and

WHEREAS, the term "cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis (marijuana) plants or any part thereof as provided in Business and Professions Code section 19300.5(l); and

WHEREAS, the term "marijuana" shall have the same meaning as that set forth in Health and Safety Code Section 11018 and the term "cannabis" shall have the same meaning as that set forth in Business and Professions Code section 19300.5(f); and

WHEREAS, the term "medical marijuana" shall mean medical marijuana that has been recommended by a licensed physician in strict accordance with California Health & Safety Code Section 11362.5 through Section 11362.83, inclusive, commonly referred to as the Compassionate Use Act and the Medical Marijuana Program; and

WHEREAS, the “medical cannabis” shall have the same meaning as that set forth in Business and Professions Code section 19300.5(ag); and

WHEREAS, the County’s unique geographic and climate conditions, which include dense forested areas receiving substantial precipitation, along with sparse population in many areas of the County, provide conditions that are favorable to cannabis (marijuana) cultivation and cannabis (marijuana) growers can achieve a high per-plant yield with high economic value because of the County’s favorable growing conditions; and

WHEREAS, various parcels throughout the unincorporated area of the County of Plumas are being used for cannabis (marijuana) cultivation; and

WHEREAS, other public entities have reported adverse impacts from cannabis (marijuana) cultivation, including, but not limited to, disagreeable odors, increased risk of burglary and other property crimes, and acts of violence in connection with the commission of such crimes or the occupants’ attempts to prevent such crimes; and

WHEREAS, the creation of persistent strong odors as cannabis (marijuana) plants mature and flower is offensive to many people and creates an attractive nuisance, alerting persons to the location of valuable cannabis (marijuana) plants and creating an increased risk of crime; and

WHEREAS, the indoor cultivation of substantial amounts of cannabis (marijuana) also frequently requires excessive use of electricity, which often creates an unreasonable risk of fire from the electrical grow lighting systems used in indoor cultivation; and

WHEREAS, the County of Plumas has adopted a Zoning Plan identified as Title 9 (Planning and Zoning) of the Plumas County Code; and

WHEREAS, the Plumas County Zoning Code is a “permissive zoning” ordinance that does not permit the cultivation of cannabis (marijuana) on any lands or zones covered by the Plumas County Zoning Code, but this fact is not well known or understood by the general public whether within Plumas County or outside Plumas County since a search of the Zoning Code will not find the terms “cannabis” or “marijuana” thereby resulting in some persons assuming that such uses are allowed; and

WHEREAS, an ordinance expressly prohibiting the cultivation of cannabis (marijuana) in Plumas County will preclude any interpretation of Health and Safety Code section 11362.777(c)(4) that Plumas does not prohibit the cultivation of cannabis (marijuana) as of the March 1, 2016, date, and will further clarify for the public that the cultivation of cannabis (marijuana) is not a permitted use of land in Plumas County; and

WHEREAS, concerns have been raised that there are no specific regulations to address the impact medical cannabis (marijuana) cultivation within the unincorporated areas of the County of Plumas may have on the community as a whole; and

WHEREAS, the County of Plumas has not adopted rules and regulations specifically applicable to medical cannabis (marijuana) cultivation and the lack of such controls may lead to

increased medical cannabis (marijuana) cultivation and the inability to regulate cannabis (medical) marijuana cultivation in a manner that will protect the general public, homes and businesses adjacent and near such cultivation, and the persons who are present at such cultivations; and

WHEREAS, in order to allow time for the County of Plumas, through its Planning and Building Services Department, to consider, study, and assess various approaches to regulating medical cannabis (marijuana) cultivation, it is necessary to suspend the establishment of medical cannabis (marijuana) cultivation that may be in conflict with the development standards and regulations the County of Plumas, through its Planning and Building Services Department, intends to consider or study.

NOW, THEREFORE, the Board of Supervisors of the County of Plumas, State of California, ordains as follows:

SECTION 1. The Board of Supervisors of the County of Plumas determines as follows:

- A. The above recitals are true and correct and are incorporated herein as if set forth in full and are relied upon independently by the Board of Supervisors for its adoption of this urgency ordinance.
- B. There is a current and immediate threat to public health, safety, and welfare in that the establishment of, or the issuance or approval of any permit, certificate of occupancy, or other entitlement for the establishment of, medical cannabis (marijuana) cultivation in the unincorporated areas of the County of Plumas will result in land uses and land developments that may conflict with amendments to the Plumas County Code that may be adopted as a result of the study that is to be undertaken.
- C. There is no feasible alternative to enactment of this moratorium ordinance that will satisfactorily mitigate or avoid the previously identified impacts to the public health, safety and welfare with a less burdensome or restrictive effect.
- D. In order to ensure the effective implementation of the County of Plumas' land use objectives and policies, a temporary moratorium on the establishment and/or approval of medical cannabis (marijuana) cultivation is necessary.
- E. This ordinance is exempt from environmental review pursuant to State CEQA Guidelines Section 15061(b)(3) in that there is nothing in this ordinance or its implementation that could have a foreseeable significant effect on the environment.

SECTION 2. Imposition of Moratorium.

In accordance with Government Code Section 65858, for the period of this ordinance, or any extension thereof, medical cannabis (marijuana) cultivation shall be considered a prohibited use in any zoning district of the unincorporated areas of the County of Plumas. No permits or authorizations shall be approved or issued for the establishment of medical cannabis (marijuana) cultivation while this ordinance is in effect.

SECTION 3. Written Report.

Ten days prior to the expiration of this ordinance or any extension thereof, the Board of Supervisors shall issue a written report describing the measures taken to alleviate the threat to public health, safety and welfare that led to the enactment of the ordinance.

SECTION 4. Severability.

If any provision of this ordinance or the applications thereof to any person or circumstances is held invalid, the remainder of the ordinance and the applications of such provision will remain in effect to the extent permitted by law.

SECTION 5. Conflicting Laws.

For the term of this ordinance, as set forth in Section 6 below, the provisions of this ordinance shall govern. To the extent that there is any conflict between the provisions of this ordinance and the provisions of any other County code, ordinance, resolution or policy, all such conflicting provisions shall be suspended.

SECTION 6. Effective Date and Term.

This ordinance is declared an urgency measure for the immediate protection and preservation of the public peace, health, safety and welfare for the reasons stated in Section 1, and it shall take effect immediately upon its adoption by a four-fifths (4/5) vote of the Board of Supervisors pursuant to Government Code Section 65858 and Government Code Section 25123 (d). This ordinance shall continue in effect for forty-five (45) days from the date of its adoption and shall thereafter be of no further force and effect unless, after notice pursuant to Government Code Section 65090 and a public hearing, the Board of Supervisors extends this ordinance for an additional period of time pursuant to Government Code Section 65858. The clerk shall cause this ordinance to be published as required by law.

The foregoing ordinance was adopted at a regular meeting of the Plumas County Board of Supervisors of the County of Plumas, State of California, held on the 26th day of January 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sherrie Thrall, Chair
Board of Supervisors

ATTEST:

Nancy DaForno
Clerk of the Board

[Y:\Resolutions and Ordinances\Medical Marijuana Cultivation Moratorium Ordinance draft 20160126.docx]

ORDINANCE NO. _____

**AN UNCODIFIED URGENCY ORDINANCE OF THE COUNTY OF PLUMAS,
ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858, IMPOSING A
TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF MEDICAL
MARIJUANA (CANNABIS) DISPENSARIES IN THE UNINCORPORATED AREAS OF
THE COUNTY OF PLUMAS**

WHEREAS, in 1996, the voters of the State of California approved Proposition 215 which was codified as Health and Safety Code Section 11362.5, and entitled "The Compassionate Use Act of 1996" (the Compassionate Use Act); and

WHEREAS, the intent of the Compassionate Use Act was to enable persons who are in need of marijuana for medical purposes to obtain and use it under limited, specific circumstances, without being subject to criminal prosecution under certain state statutes; and

WHEREAS, on January 1, 2004, Senate Bill 420, codified as Health and Safety Code Sections 11362.7, and following, and entitled "The Medical Marijuana Program," became effective to clarify the scope of the Compassionate Use Act; and

WHEREAS, on October 9, 2015, the Governor of the State of California approved Assembly Bill 243, Assembly Bill 266, and Senate Bill 643 enacting the Medical Marijuana Regulation and Safety Act and other statutes (hereinafter collectively referred to as "MMRSA") authorizing the promulgation of regulations and standards relating to medical cannabis (also known as marijuana) and its cultivation, manufacturing, distribution, dispensing, and delivery; and

WHEREAS, the MMRSA does not limit or prevent a county from regulating or banning the cultivation, storage, manufacture, distribution, dispensing, delivery, or other cannabis (marijuana) activity; and

WHEREAS, the term "marijuana" shall have the same meaning as that set forth in Health and Safety Code Section 11018 and the term "cannabis" shall have the same meaning as that set forth in Business and Professions Code section 19300.5(f); and

WHEREAS, the term "medical marijuana" shall mean medical marijuana that has been recommended by a licensed physician in strict accordance with California Health & Safety Code Section 11362.5 through Section 11362.83, inclusive, commonly referred to as the Compassionate Use Act and the Medical Marijuana Program; and

WHEREAS, the term "medical cannabis" shall have the same meaning as that set forth in Business and Professions Code section 19300.5(ag); and

WHEREAS, the term "dispensary" shall have the same meaning as that set forth in Business and Professions Code section 19300.5(n); and

WHEREAS, the term “medical marijuana dispensary” does not include the distribution of medical marijuana or cannabis to qualified patients by their designated primary caregivers in the following locations and uses, as long as the location is otherwise regulated by Plumas County Code and/or applicable law and as long as the use complies with Plumas County Code and/or applicable law, including, but not limited to, the Compassionate Use Act and The Medical Marijuana Program:

1. A clinic licensed pursuant to Chapter 1 (commencing with Section 1200) of Division 2 of the Health and Safety Code.
2. A health care facility licensed pursuant to Chapter 2 (commencing with Section 1250) of Division 2 of the Health and Safety Code.
3. A residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 (commencing with Section 1568.01) of Division 2 of the Health and Safety Code.
4. A residential care facility for the elderly licensed pursuant to Chapter 3.2 (commencing with Section 1569) of Division 2 of the Health and Safety Code.
5. A hospice or a home health agency licensed pursuant to Chapter 8 (commencing with Section 1725) of Division 2 of the Health and Safety Code Section.

WHEREAS, it is anticipated that the County of Plumas will receive a number of inquiries and/or applications as to the possibility of establishing medical marijuana dispensaries throughout the unincorporated areas of the County of Plumas; and

WHEREAS, under the current Zoning Plan, identified as Title 9 (Planning and Zoning) of the Plumas County Code, medical marijuana dispensaries are undefined and do not share sufficient similarity to any allowed use or use allowed by use permit and are therefore not currently allowed unless a variance is obtained, a functionally equivalent use determination is made, or an amendment to Title 9 is approved, but this fact is not well known or understood by the general public whether within Plumas County or outside Plumas County since a search of the Zoning Code will not find the terms “cannabis” or “marijuana” thereby resulting in some persons assuming that such uses are allowed; and

WHEREAS, an ordinance expressly prohibiting medical marijuana dispensaries will further clarify for the public that medical marijuana dispensaries are not a permitted use of land in Plumas County; and

WHEREAS, concerns have been raised that, other than the foregoing, there are no other regulations to address the impact that the development of medical marijuana dispensaries within the unincorporated areas of the County of Plumas may have on the community as a whole; and

WHEREAS, other public entities have reported adverse impacts from medical marijuana dispensaries, including, but not limited to, an increase in crime such as burglary and robbery, disagreeable odor, loitering, increases in traffic, noise, and the sale of illegal drugs (including the illegal resale of marijuana from medical marijuana dispensaries) in the areas immediately surrounding such medical marijuana dispensaries; and

WHEREAS, medical marijuana dispensaries could arguably be located in close proximity to residential areas, schools, churches, day care centers, and other sensitive areas; and

WHEREAS, the County of Plumas has not adopted rules and regulations specifically applicable to the establishment and operation of medical marijuana dispensaries. The lack of such controls may lead to a proliferation of dispensaries and the inability of the County to regulate these establishments in a manner that will protect the general public, homes and businesses adjacent to and near such businesses, and the patients or clients of such establishments.

WHEREAS, in order to allow time for the County of Plumas, through its Planning and Building Services Department, to consider, study, and assess various approaches to regulating medical marijuana dispensaries in light of the concerns raised, it is necessary to suspend the establishment of medical marijuana dispensaries that may be in conflict with the development standards and regulations the County of Plumas, through its Planning and Building Services Department, intends to consider or study.

NOW, THEREFORE, the Board of Supervisors of the County of Plumas, State of California, ordains as follows:

SECTION 1. The Board of Supervisors of the County of Plumas determines as follows:

- A. The above recitals are true and correct and are incorporated herein as if set forth in full and are relied upon independently by the Board of Supervisors for its adoption of this urgency ordinance.
- B. There is a current and immediate threat to public health, safety, and welfare in that the establishment of, or the issuance or approval of any permit, certificate of occupancy, or other entitlement for the establishment of, a medical marijuana dispensary in the unincorporated areas of the County of Plumas will result in land uses and land developments that may conflict with amendments to the Plumas County Code that may be adopted as a result of the study that is to be undertaken.
- C. There is no feasible alternative to enactment of this moratorium ordinance that will satisfactorily mitigate or avoid the previously identified impacts to the public health, safety and welfare with a less burdensome or restrictive effect.
- D. In order to ensure the effective implementation of the County of Plumas' land use objectives and policies, a temporary moratorium on the establishment and/or approval of medical marijuana dispensaries is necessary.
- E. This ordinance is exempt from environmental review pursuant to State CEQA Guidelines Section 15061(b)(3) in that there is nothing in this ordinance or its implementation that could have a foreseeable significant effect on the environment.

SECTION 2. Imposition of Moratorium.

In accordance with Government Code Section 65858, for the period of this ordinance, or any extension thereof, a medical marijuana dispensary shall be considered a prohibited use in any

zoning district of the unincorporated areas of the County of Plumas. No permits or authorizations shall be approved or issued for the establishment or operation of a medical marijuana dispensary while this ordinance is in effect.

SECTION 3. Written Report.

Ten days prior to the expiration of this ordinance or any extension thereof, the Board of Supervisors shall issue a written report describing the measures taken to alleviate the threat to public health, safety and welfare that led to the enactment of the ordinance.

SECTION 4. Severability.

If any provision of this ordinance or the applications thereof to any person or circumstances is held invalid, the remainder of the ordinance and the applications of such provision will remain in effect to the extent permitted by law.

SECTION 5. Conflicting Laws.

For the term of this ordinance, as set forth in Section 6 below, the provisions of this ordinance shall govern. To the extent that there is any conflict between the provisions of this ordinance and the provisions of any other County code, ordinance, resolution or policy, all such conflicting provisions shall be suspended.

SECTION 6. Effective Date and Term.

This ordinance is declared an urgency measure for the immediate protection and preservation of the public peace, health, safety and welfare for the reasons stated in Section I, and it shall take effect immediately upon its adoption by a four-fifths (4/5) vote of the Board of Supervisors pursuant to Government Code Section 65858 and Government Code Section 25123 (d). This ordinance shall continue in effect for forty-five (45) days from the date of its adoption and shall thereafter be of no further force and effect unless, after notice pursuant to Government Code Section 65090 and a public hearing, the Board of Supervisors extends this ordinance for an additional period of time pursuant to Government Code Section 65858. The clerk shall cause this ordinance to be published as required by law.

The foregoing ordinance was adopted at a regular meeting of the Plumas County Board of Supervisors of the County of Plumas, State of California, held on the 26th day of January, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sherrie Thrall, Chair
Board of Supervisors

ATTEST:

Nancy DaForno
Clerk of the Board

[Y:\Resolutions and Ordinances\Medical Marijuana Dispensary Moratorium draft 20160126.docx]

ORDINANCE NO. _____

**AN UNCODIFIED URGENCY ORDINANCE OF THE COUNTY OF PLUMAS,
ADOPTED PURSUANT TO GOVERNMENT CODE SECTION 65858, IMPOSING A
TEMPORARY MORATORIUM ON THE DELIVERY OF MEDICAL CANNABIS
(MARIJUANA) IN THE UNINCORPORATED AREAS OF THE COUNTY OF PLUMAS**

WHEREAS, in 1996, the voters of the State of California approved Proposition 215 which was codified as Health and Safety Code Section 11362.5, and entitled "The Compassionate Use Act of 1996" (the Compassionate Use Act); and

WHEREAS, the intent of the Compassionate Use Act was to enable persons who are in need of marijuana for medical purposes to obtain and use it under limited, specific circumstances, without being subject to criminal prosecution under certain state statutes; and

WHEREAS, on January 1, 2004, Senate Bill 420, codified as Health and Safety Code Sections 11362.7, and following, and entitled "The Medical Marijuana Program," became effective to clarify the scope of the Compassionate Use Act; and

WHEREAS, on October 9, 2015, the Governor of the State of California approved Assembly Bill 243, Assembly Bill 266, and Senate Bill 643 enacting the Medical Marijuana Regulation and Safety Act and other statutes (hereinafter collectively referred to as "MMRSA") authorizing the promulgation of regulations and standards relating to medical cannabis (also known as marijuana) and its cultivation, manufacturing, distribution, dispensing, and delivery; and

WHEREAS, the MMRSA does not limit or prevent a county from regulating or banning the cultivation, storage, manufacture, distribution, dispensing, delivery, or other cannabis (marijuana) activity; and

WHEREAS, the term "marijuana" shall have the same meaning as that set forth in Health and Safety Code Section 11018 and the term "cannabis" shall have the same meaning as that set forth in Business and Professions Code section 19300.5(f); and

WHEREAS, the term "medical marijuana" shall mean medical marijuana that has been recommended by a licensed physician in strict accordance with California Health & Safety Code Section 11362.5 through Section 11362.83, inclusive, commonly referred to as the Compassionate Use Act and the Medical Marijuana Program; and

WHEREAS, the term "medical cannabis" shall have the same meaning as that set forth in Business and Professions Code section 19300.5(ag); and

WHEREAS, the term "delivery" shall have the same meaning as that set forth in Business and Professions Code section 19300.5(m); and

WHEREAS, it is anticipated that the County of Plumas will receive a number of inquiries and/or applications as to the possibility of delivery medical cannabis (marijuana) throughout the unincorporated areas of the County of Plumas; and

WHEREAS, under the current Zoning Plan, identified as Title 9 (Planning and Zoning) of the Plumas County Code, medical cannabis (marijuana) delivery is undefined and does not share sufficient similarity to any allowed use or use allowed by use permit and is therefore not currently allowed unless a variance is obtained, a functionally equivalent use determination is made, or an amendment to Title 9 is approved, but this fact is not well known or understood by the general public whether within Plumas County or outside Plumas County since a search of the Zoning Code will not find the terms "cannabis" or "marijuana" thereby resulting in some persons assuming that such use or activity is allowed; and

WHEREAS, pursuant to Business and Professions Code Section 19340(a), the delivery of medical cannabis or marijuana in the county is permissible by the MMRSA under a license issued by the State of California, unless it is explicitly prohibited by local ordinance.

WHEREAS, an ordinance expressly prohibiting medical cannabis (marijuana) delivery will further clarify for the public that medical cannabis (marijuana) delivery is not a permitted use of land or activity in Plumas County; and

WHEREAS, concerns have been raised that, other than the foregoing, there are no other regulations to address the impact that the development of medical cannabis (marijuana) delivery within the unincorporated areas of the County of Plumas may have on the community as a whole; and

WHEREAS, other public entities have reported adverse impacts from medical cannabis (marijuana) delivery, including, but not limited to, an increase in crime such as burglary and robbery, disagreeable odor, loitering, increases in traffic, noise, and the sale of illegal drugs (including the illegal resale of marijuana from medical marijuana deliveries) in the areas immediately surrounding such medical marijuana deliveries; and

WHEREAS, medical cannabis (marijuana) deliveries could arguably occur in close proximity to residential areas, schools, churches, day care centers, and other sensitive areas; and

WHEREAS, the County of Plumas has not adopted rules and regulations specifically applicable to the establishment and operation of medical cannabis (marijuana) deliveries. The lack of such controls may lead to a proliferation of deliveries and the inability of the County to regulate these activities in a manner that will protect the general public, homes and businesses adjacent to and near such activities, and the patients or clients of such activities.

WHEREAS, in order to allow time for the County of Plumas, through its Planning and Building Services Department, to consider, study, and assess various approaches to regulating medical cannabis (marijuana) deliveries in light of the concerns raised, it is necessary to suspend the establishment of medical cannabis (marijuana) deliveries that may be in conflict with the development standards and regulations the County of Plumas, through its Planning and Building Services Department, intends to consider or study.

NOW, THEREFORE, the Board of Supervisors of the County of Plumas, State of California, ordains as follows:

SECTION 1. The Board of Supervisors of the County of Plumas determines as follows:

- A. The above recitals are true and correct and are incorporated herein as if set forth in full and are relied upon independently by the Board of Supervisors for its adoption of this urgency ordinance.
- B. There is a current and immediate threat to public health, safety, and welfare in that the establishment of, or the issuance or approval of any permit, certificate of occupancy, or other entitlement for the establishment of, a medical cannabis (marijuana) deliveries in the unincorporated areas of the County of Plumas will result in land uses and land developments that may conflict with amendments to the Plumas County Code that may be adopted as a result of the study that is to be undertaken.
- C. There is no feasible alternative to enactment of this moratorium ordinance that will satisfactorily mitigate or avoid the previously identified impacts to the public health, safety and welfare with a less burdensome or restrictive effect.
- D. In order to ensure the effective implementation of the County of Plumas' land use objectives and policies, a temporary moratorium on the establishment and/or approval of medical cannabis (marijuana) deliveries is necessary.
- E. This ordinance is exempt from environmental review pursuant to State CEQA Guidelines Section 15061(b)(3) in that there is nothing in this ordinance or its implementation that could have a foreseeable significant effect on the environment.

SECTION 2. Imposition of Moratorium.

In accordance with Government Code Section 65858, for the period of this ordinance, or any extension thereof, medical cannabis (marijuana) deliveries shall be considered a prohibited use in any zoning district of the unincorporated areas of the County of Plumas. No permits or authorizations shall be approved or issued for the establishment or operation of a medical cannabis (marijuana) deliveries while this ordinance is in effect.

SECTION 3. Written Report.

Ten days prior to the expiration of this ordinance or any extension thereof, the Board of Supervisors shall issue a written report describing the measures taken to alleviate the threat to public health, safety and welfare that led to the enactment of the ordinance.

SECTION 4. Severability.

If any provision of this ordinance or the applications thereof to any person or circumstances is held invalid, the remainder of the ordinance and the applications of such provision will remain in effect to the extent permitted by law.

SECTION 5. Conflicting Laws.

For the term of this ordinance, as set forth in Section 6 below, the provisions of this ordinance shall govern. To the extent that there is any conflict between the provisions of this ordinance and the provisions of any other County code, ordinance, resolution or policy, all such conflicting provisions shall be suspended.

SECTION 6. Effective Date and Term.

This ordinance is declared an urgency measure for the immediate protection and preservation of the public peace, health, safety and welfare for the reasons stated in Section I, and it shall take effect immediately upon its adoption by a four-fifths (4/5) vote of the Board of Supervisors pursuant to Government Code Section 65858 and Government Code Section 25123 (d). This ordinance shall continue in effect for forty-five (45) days from the date of its adoption and shall thereafter be of no further force and effect unless, after notice pursuant to Government Code Section 65090 and a public hearing, the Board of Supervisors extends this ordinance for an additional period of time pursuant to Government Code Section 65858. The clerk shall cause this ordinance to be published as required by law.

The foregoing ordinance was adopted at a regular meeting of the Plumas County Board of Supervisors of the County of Plumas, State of California, held on the 26th day of January, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sherrie Thrall, Chair
Board of Supervisors

ATTEST:

Nancy DaForno
Clerk of the Board




PLUMAS COUNTY PLANNING & BUILDING SERVICES

555 Main Street, Quincy, CA 95971
(530) 283-7011

www.countyofplumas.com

DATE: January 5, 2016

TO: Honorable Chair and Members of the Board of Supervisors

FROM: Randy Wilson, Plumas County Planning Director 

RE: Consider selection of a time and place for a Board of Supervisors' Special Meeting to consider the adoption of marijuana zoning moratorium ordinances; or provide other direction to staff regarding medical marijuana regulation by Plumas County.

Background

On October 9, 2015, Governor Brown signed into law three bills passed by the California Legislature (AB 243, AB 266, and SB 643) collectively known as the Medical Marijuana Regulation and Safety Act (MMRSA). These laws are intended to regulate the cultivation, transportation, dispensing, and delivery of medical marijuana within the State of California. A copy of the MMRSA is attached. For the most part, the new legislation allows local governments such as counties and cities to continue to regulate marijuana cultivation, dispensing, and delivery within the local jurisdiction. While this new legislation is generally effective January 1, 2016, the law provides a phase-in of certain provisions at later dates. For example, effective March 1, 2016, marijuana cultivators will be required to obtain a State issued license in addition to any locally required license, but if a local jurisdiction prohibits the cultivation of marijuana, the State will not issue the State license. However, if a local jurisdiction does not have regulations or ordinances prohibiting the cultivation of marijuana, or chooses not to administer a conditional permit program, then beginning March 1, 2016, the State will be the sole licensing authority for medical marijuana cultivation in the area of that local jurisdiction.

The cultivation and dispensing of marijuana (medical or otherwise) in Plumas County (excluding the City of Portola) is currently prohibited by Plumas County ordinance. Plumas County's Zoning Code is a "permissive zoning code." Uses in the various zones are defined in the Zoning Code. Uses not defined or similar are not allowed in the various zones. The growing and distribution of medical marijuana are not listed in any of the various zones contained within the Zoning Code. Therefore, the growing and distribution of medical marijuana is not legally allowed on any of the lands covered by the Plumas County Zoning Code.

While the Plumas County Zoning Code does not legally allow the growing or distributing of marijuana, this legal fact is not well known or understood by the general public whether within Plumas County or outside Plumas County. Someone searching the Plumas County Zoning Code will not find mentioned any place the word "marijuana" and may assume that because the Zoning Code does not specifically mention medical marijuana in any manner that growing and distributing medical marijuana is legal in Plumas County, when in fact doing so is illegal under local land use ordinances. Marijuana cultivation and dispensing is occurring in Plumas County, and it appears likely that people desiring to cultivate or dispense marijuana are relocating to Plumas County from other jurisdictions where those activities are clearly and expressly prohibited, because Plumas County is perceived as a more "permissive" jurisdiction.

Increased marijuana cultivation and dispensing in Plumas County is having deleterious effects. Attached is a Memo from the Plumas County Sheriff describing issues the Sheriff's Department has encountered with the growing of medical marijuana in Plumas County. Please note that the growing of marijuana on Federal Lands is a separate issue. The Sheriff has documented issues of large growers coming to Plumas County as other counties in California have passed ordinances regulating the growing of medical marijuana, conflicts with the backyard growing of medical marijuana, and issues of real estate transactions being affected by adjacent medical marijuana growing.

The Medical Marijuana Regulation and Safety Act as mentioned goes into effect on January 1, 2016. If Plumas County does not expressly address marijuana activities in its County Codes, the public may be confused as to whether such activities are permitted in Plumas County. The implementation of various provisions of the MMRSA, combined with the prohibition or regulation of marijuana activities in other counties and cities, will likely lead to more such activities in Plumas County that are illegal and unregulated. Planning Department staff are requesting that the Board of Supervisors consider setting a special meeting to consider the adoption of marijuana zoning moratorium ordinances and/or provide direction to staff on the development of possible County regulations regarding medical marijuana that are less than a complete ban.

Regarding the legal basis of doing moratorium ordinances the Board of Supervisors may adopt as an urgency measure without public notice, in accordance with Government Code Section 65858(a), an interim ordinance to protect public safety, health, and welfare, prohibiting any uses that may be in conflict with a contemplated General Plan, Specific Plan, or Zoning proposal that the Board of Supervisors (legislative body), Planning Commission, or the Planning Department is considering or studying or intends to study within a reasonable time. Such an interim ordinance shall require a 4/5 vote of the Board of Supervisors, is limited in time to 45 days from adoption, and after public notice and a public hearing, can be extended for 10 months and 15 days and subsequently extended for an additional one year with no more than two extensions upon a 4/5 vote. Such an interim ordinance is exempt from the California Environmental Quality Act (CEQA) because it makes no changes by preserving the status quo. Such an interim ordinance leads to permanent ordinances developed through a public process involving the Planning Commission.

As an alternative under Government Code Section 65858(b), the Board of Supervisors may adopt by a 4/5 vote an interim ordinance prohibiting a use after public notice and a public hearing for 45 days. Such an interim ordinance may be extended for 22 months and 15 days after public notice and a public hearing by a 4/5 vote of the Board of Supervisors. This alternative differs from Government Code Section 65858(a) because a public notice and public hearing is required. Under Government Code Section 65858(a) the initial adoption of the interim ordinance does not require public notice and a public hearing for the initial adoption of the interim ordinance. Both Government Code Section 65858(a) and 65858(b) require a 4/5 vote of the Board of Supervisors for the interim ordinance to be adopted and in doing so the Board must make findings that the interim ordinance is necessary to protect public health, safety, and welfare.

Further any extension of the interim ordinance requires the Board of Supervisor make findings that there is an immediate threat to public health, safety, or welfare. Also, 10 days prior to the expiration of the interim ordinance or any extension of the interim ordinance the Board of Supervisors shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance.

ACTIONS FOR CONSIDERATION

Staff respectfully recommends the Board of Supervisors consider taking one of the following actions:

- I. Select a time and place for a Board of Supervisors' Special Meeting to consider the adoption of zoning moratorium ordinances expressly prohibiting medical marijuana activities in Plumas County pending further study by Plumas County staff, proceedings by the Plumas County Planning Commission, and community outreach, leading to the development of comprehensive plan for local marijuana activity licensing and regulation.
- II. Without adopting zoning moratorium ordinances, refer the matter to the Plumas County Planning Commission for study and proceedings pursuant to the State Zoning Law leading to recommendations to the Plumas County Board of Supervisor concerning the regulation and possible licensing of medical marijuana activities within the jurisdiction of Plumas County.
- III. Provide other direction to staff regarding medical marijuana.

Attachments:

State of California Medical Marijuana Regulation and Safety Act approved by the Governor on October 9, 2015 (Compilation of AB 243, AB 266, and SB 643).

Memo from the Plumas County Sheriff regarding issues of marijuana in Plumas County.



GREGORY J. HAGWOOD
SHERIFF/CORONER

Office of the Sheriff

1400 E. Main Street, Quincy, California 95971 • (530) 283-6375 • Fax 283-6344

December 21, 2015

The issue of Marijuana use, possession and cultivation has been an issue the state and its jurisdictional subsets (cities, counties and agencies) have attempted to address for several years. With recognition of the medical use of Marijuana and the looming recreational use legislation arriving in 2016 it is important that jurisdictions create and implement public policy that provides individuals the ability to access Marijuana while at the same time safeguarding individual and jurisdictional interests that lie beyond the interests of the Marijuana consumer or provider.

In Plumas County, like other counties, we have seen a measurable increase in the cultivation of Marijuana: on public lands as well as on private property. In what follows I will discuss the issues the Plumas County Sheriff's Office has been addressing regarding Marijuana cultivation on private property. The issue of Marijuana cultivation on public lands, while related, is a separate issue in terms of the issues presented to law enforcement/county government and the discussion at hand.

Via the Compassionate Use Act and court decisions rendered thereafter, consumers and providers of medical Marijuana have increasingly turned to private property locations for the cultivation of Marijuana. It has become commonplace to find Marijuana cultivations in a variety of settings throughout Plumas County on private property. Be it multiple acre parcels or smaller residential neighborhood settings there have been issues brought to the Sheriff's Office attention that are becoming increasingly problematic. Thefts, assaults and conflicts between neighbors based upon Marijuana cultivation are becoming more frequent. It is my hope that we can collectively craft county public policy that reasonably addresses the respective needs and rights noted earlier.

The following are some specific examples of issues that have been reported to the Plumas County Sheriff's Office during the past eight months.

In the East Quincy residential neighborhood one individual had a Marijuana cultivation wherein the grow was unsecured and the size of the plants were such that the plants hung over the fence into an adjoining back yard. During the flowering of the plants the smell became so strong that several neighbors complained that they could not enjoy their back yards due to the smell. One neighbor created a sign that read "Free Marijuana" and placed it in the grower's driveway when the grower would leave

in the morning for work inviting individuals to take the Marijuana. This obviously created a heated conflict the Sheriff's was called upon to address.

In the Feather River Canyon near Rush Creek an individual purchased several acres of land and started a Marijuana grow adjacent to the highway. Travel trailers and aggressive dogs were brought to the site resulting in several complaints from nearby property owners who had been menaced by the dogs and complained of raw sewage being disposed of on the property.

In the Greenhorn residential community a parcel of land was purchased by persons residing out of county. All trees were cut down and a Marijuana grow was established. Individuals residing in tents were brought in to guard the grow site.

In conversations with county realtors I have been informed of three residential property sales that were abandoned due to neighboring Marijuana grows and the concerns of the prospective purchasers had related to the grows.

In Greenville I received reports of ongoing thefts of Marijuana plants between neighbors who were both cultivating Marijuana.

In Portola, neighbors to a Marijuana grow reported to me that during the school lunch hour high school students would enter the grow and take Marijuana while the property owners were at work.

On Jackson Street in Quincy an individual growing Marijuana in their back yard reported to me the theft of Marijuana by what were described as high school age children.

Over the past several years the Plumas County Sheriff's Office have received reports of violent altercations at a grow site at Paxton. One of these incidents involved multiple people armed with firearms and machetes.

In Greenville a young man was assaulted in an argument during the attempted theft of medical Marijuana. This person was seriously injured and underwent surgery to treat his injuries. That individual was compelled to leave Plumas County for fear of future hostilities.

Regionally, there have been numerous incidents of violence related to Marijuana cultivations. In October of 2015 three men were murdered in Calaveras County when they were caught trying to steal Marijuana from a grow site. The operators of the grow shot and killed the three with shotguns. Their remains were found on an adjacent roadway the following morning.

In neighboring Butte County, numerous thefts, assaults, home invasion robberies, shootings and homicides have been attributed to Marijuana grows over the past several years. These instances have been well documented in regional news outlets.

In an effort to address these issues numerous counties throughout the state have implemented specific county ordinances related to Marijuana cultivation. As a result of these counties ordinances we have experienced individuals and groups relocating to counties without specific ordinances to conduct

cultivation activities. In the past six months I and members of my staff have had conversations with four different groups in Plumas County who specifically cited the absence of an ordinance as the reason they have come to Plumas County to engage in Marijuana cultivation. In one conversation an entrepreneur from the Lake Tahoe area described his interest in purchasing a thirty seven acre parcel in Eastern Plumas County with the goal of establishing a commercial Marijuana cultivation operation.

For additional reference, I have attached some of the documented calls for service related to Marijuana in our county.

With the forthcoming changes at the state level specific to Marijuana and the reality of future legalization I ask that we collectively work towards regulatory measures specific to Plumas County that allow for the reasonable access of Marijuana by those who benefit from its use while safeguarding the interests of public safety and property owners throughout our county.

Respectfully,

A handwritten signature in black ink, appearing to read 'Hagwood', with a large, stylized loop at the end.

Sheriff Greg Hagwood

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015010777

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015010777

	Date	Time	Location Address Information
Received	11/12/15	10:06:01	158 ASPEN
Dispatched	11/12/15	10:07:01	CHESTER
Enroute			
Arrived	11/12/15	10:54:03	Call Reported From: Telephone: [REDACTED]
Under Control	11/12/15	10:54:05	158 ASPEN
Completed	11/12/15	11:18:55	Third Party: [REDACTED]
Signal	SUSP		SUSPICIOUS CIRCUMSTA
Reference Signal	SUSP		SUSPICIOUS CIRCUMSTA
Actual Signal	SUSP		SUSPICIOUS CIRCUMSTA
Extra Phone 1:		Extra Phone 2:	
Citations Issued	<input type="checkbox"/>	Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86513 11/12/2015 10:06:01: CRPTS A PARENT WAS SMOKING MARIJUANA IN THE SCHOOL BATHROOM AT A HALLOWEEN EVENT.
OCCURED OCT 30TH
S/UNKNOWN

RP REQ A 21

86513 11/12/2015 11:18:44: DEP SPOKE TO RP- ADVISED SUSP CIRC. INFORMATION ON FILE.

14652 11/12/2015 20:40:53: MB1S2

Parties Involved:

Name:	Eqp. No.	ID Number	Party	Dispatched	Enroute	Arrived	Completed
COURTRIGHT, PAMELLA	1T3	86513	R				
[REDACTED]		81523	C				
CHESTER ELEMENTARY SCHOOL,		49357	V				
COURTRIGHT, PAMELLA	1T3	86513	D				
YOCKEY, THOMAS	109	31989	A	10:07:01		10:54:03	
BEATLEY, MATTHEW	1S2	14652	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015010602

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015010602

	Date	Time	Location Address Information
Received	11/05/15	17:42:18	202 HUDSON AV
Dispatched			GREENVILLE
Enroute			PLUMAS
Arrived			Call Reported From: Telephone: [REDACTED]
Under Control			202 HUDSON AVE
Completed	11/06/15	22:31:07	Third Party: [REDACTED]
Signal	THEFT		THEFT
Reference Signal	THEFT		THEFT
Actual Signal	CIVIL		CIVIL MATTER
Extra Phone 1:		Extra Phone 2:	
Citations Issued	<input type="checkbox"/>	Weapon How Received: E911	License No: Created: E911

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

78612 11/05/2015 17:42:18: XCoordinate = 40.13780900 YCoordinate = -120.943958

C/REPORTS HIS GIRLFRIEND [REDACTED] STOLE HIS MARIJUANA PROCESSING MACHINE

78612 11/05/2015 22:30:19: DEPUTY REPORTS CIVIL ISSUE OVER COMMUNITY PROPERTY

73067 11/06/2015 12:32:00: jb

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
STANCER, ZOELLA	1T2	78612	R				
[REDACTED]		109126	C				
[REDACTED]		28578	S				
BEATLEY, JEREMY	254	73067	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015010038

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015010038

	Date	Time	Location Address Information
Received	10/18/15	11:58:59	270 MAIN
Dispatched	10/18/15	12:37:22	CRESCENT MILLS
Enroute			PLUMAS
Arrived	10/18/15	13:43:20	Call Reported From: Telephone: [REDACTED]
Under Control	10/18/15	13:47:09	270 MAIN
Completed	10/18/15	14:19:27	Third Party: [REDACTED]
Signal		THEFT	THEFT
Reference Signal		THEFT	THEFT
Actual Signal		THEFT	THEFT
Extra Phone 1:		Extra Phone 2:	
Citations Issued		Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

67074 10/18/2015 11:58:59: C/ REPORTS THEFT OF MEDICAL MARIJUANA PLANTS.

67074 10/18/2015 14:19:22: deputy advises refer to C/

25646 10/19/2015 7:24:01: BG

Parties Involved:

Name:	Eq. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
PEAY, CHANDLER	1T7	67074	R				
PEAY, CHANDLER	1T7	67074	D				
ORANGE, BOB	513	47350	A	12:37:22		13:43:20	
[REDACTED]		18924	C				
GRANT, REBECCA		25646	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015009602

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015009602

	Date	Time	Location Address Information
Received	10/05/15	16:14:14	5 HOMER LN
Dispatched			BANGOR
Enroute			BUTTE
Arrived			Call Reported From: Telephone: (530) 000-0000
Under Control			5 HOMER LN
Completed	10/06/15	12:52:35	Third Party:
Signal	AOA		ASSIST OTHER AGENCY
Reference Signal	AOA		ASSIST OTHER AGENCY
Actual Signal	AOA		ASSIST OTHER AGENCY

Extra Phone 1:	Extra Phone 2:
Citations Issued	Weapon How Received: TELETYPE License No. Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86511 10/05/2015 16:14:14: *****10851 OFC SAFETY BOLO*****
BOLO FOR A SIL 2007 NISSAN TITAN CA LIC#8G73724 VEH HAS BLK RIMS, A LED LIGHT BAR ON THE ROOF AND POSSIBLE FRONT END DAMAGE.

VEH WAS TAKEN AT APPROX 2200 HRS ON 10/3/15. S/S WERE ARMED WITH AN AK47 AND MULTIPLE HANDGUNS AND TOOK THE VEH AFTER SHOOTING THE VICTIM DURING A MARIJUANA ROBBERY AT THE RESIDENCE. S/S ARE DESCRIBED AS THREE TO FOUR HMA'S NO FURTHER.

IF LOCATED STOP, DETAIN AND NOTIFY BUTTE CO.

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
BUTTE COUNTY SHERIFF,		94021	C				
CHILDRESS, JEANETTE		86511	R				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015009201

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015009201

	Date	Time	Location Address Information
Received	9/24/15	17:12:21	429 MAIN
Dispatched	9/24/15	18:52:53	GREENVILLE
Enroute			PLUMAS
Arrived	9/24/15	18:52:55	Call Reported From: Telephone: [REDACTED]
Under Control	9/24/15	18:57:34	429 MAIN
Completed	9/24/15	19:54:28	Third Party: [REDACTED]

Signal	THREAT	TERRORIST THRTS
Reference Signal	THREAT	TERRORIST THRTS
Actual Signal	CIVIL	CIVIL MATTER

Extra Phone 1:	Extra Phone 2:
Citations Issued []	Weapon How Received: E911 License No: Created: E911

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86728 09/24/2015 17:12:22: XCoordinate = 40,11878700 YCoordinate = -120.923038
C/ REPORTS [REDACTED] THREATENED HER AND HER BOYFRIEND VIC [REDACTED]
SUS THREATENED TO HARM THEM AND STEAL THEIR 215 PLANTS TONIGHT.
86512 09/24/2015 18:04:42: SUS KEEPS CALLING AND MAKING THREATS
86512 09/24/2015 19:54:21: DEP ADVISED NEG THREATS, CIVIL ISSUE OVER OWNERSHIP OF MARIJUANA PLANTS.
73067 09/24/2015 22:10:01: jdb

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
[REDACTED]		115029	S				
[REDACTED]		94805	C				
[REDACTED]		97408	V				
CERVANTES, RENEE		86512	R				
CERVANTES, RENEE		86512	D				
VICKREY, JACOB	105	76492	A	18:52:53		18:52:55	19:08:30
BEATLEY, JEREMY	2S1	73067	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015009185

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015009185

	Date	Time	Location Address Information
Received	9/24/15	6:49:09	182 NANCY AV
Dispatched	9/24/15	7:34:06	CHESTER
Enroute			PLUMAS
Arrived	9/24/15	9:10:55	Call Reported From: Telephone: [REDACTED]
Under Control	9/24/15	9:14:47	182 NANCY AV
Completed	9/24/15	10:29:41	Third Party: [REDACTED]
Signal		THEFT	THEFT
Reference Signal		THEFT	THEFT
Actual Signal		THEFT	THEFT

Extra Phone 1:

Extra Phone 2:

Citations Issued: [REDACTED] Weapon How Received: PHONE License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CR

NOTIFIED: NONE SELECTED

Notes:

67074 09/24/2015 6:49:09: C/ REPORTS THE THEFT OF FOUR MARIJUANA PLANTS FROM HIS BACK YARD. C/ ADVISES HE HAS A 215 AND HAD THE PLANTS SECURED BEHIND A 6FT FENCE. REQUESTS CONTACT.

86728 09/24/2015 9:35:44: REFER TO CR

73067 09/24/2015 22:10:57: jdb

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
PEAY, CHANDLER	1T7	67074	R				
GRANT, REBECCA		25646	D				
CLARK, STEVEN	304	20005	A	7:34:06		9:10:55	9:35:23
[REDACTED]		86728	Z				
[REDACTED]		124171	C				
BEATLEY, JEREMY	2S1	73067	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015009144

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015009144

	Date	Time	Location Address Information
Received	9/22/15	14:24:12	48228 HIGHWAY 70
Dispatched	9/22/15	14:52:13	QUINCY
Enroute			PLUMAS
Arrived	9/22/15	14:57:16	Call Reported From: Telephone: [REDACTED]
Under Control	9/22/15	15:01:50	48228 HIGHWAY 70
Completed	9/22/15	16:18:20	[REDACTED] Third Party:
Signal	DRUG		DRUG VIOL
Reference Signal	DRUG		DRUG VIOL
Actual Signal	DRUG		DRUG VIOL

	Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/> Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CR

DISPOSITION: PCSO USFS

NOTIFIED: NONE SELECTED

Notes:

40565 09/22/2015 14:24:12: C/REQ TO SPEAK TO SOMEONE ABOUT POSSIBLE MARIJUANA PLANTS AT THE END OF THEIR PROPERTY C/ BELIEVES ITS ON USFS PROPERTY

40565 09/22/2015 16:17:05: DEP ADVISED REFER CR

25646 09/23/2015 14:41:17: BG

Parties Involved:

Name:	Eq. No:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
COOPER, CASSANDRA		40565	R				
STANCER, ZOELLA	1T2	78612	D				
DRISCOLL, CHRISTOPHER	107	101069	A	14:52:13		14:57:16	15:37:16
CLINE, DWIGHT	1S1	18762	U	15:08:43		15:08:49	15:49:44
[REDACTED]		116097	C				
GRANT, REBECCA		25646	Z				
SMITH, MICHAEL	X1D2	58463	J				
FRAZIER, KRIS	1D3	69021	J				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015007814

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015007814

	Date	Time	Location Address Information
Received	8/15/15	13:25:30	933 WILLOW RD
Dispatched	8/15/15	13:29:50	GREENVILLE
Enroute			PLUMAS
Arrived			Call Reported From: Telephone: (530) 000-0000
Under Control			933 WILLOW RD
Completed	8/15/15	13:29:58	304
			Third Party:
Signal		THEFT	THEFT
Reference Signal		THEFT	THEFT
Actual Signal		THEFT	THEFT

	Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/> Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CR

NOTIFIED: NONE SELECTED

Notes:

40565 08/15/2015 13:25:30: DEP RECEIVED A THEFT OF MARIJUANA PRODUCTS FROM [REDACTED]

REFER CR 488PC

25646 08/17/2015 09:15:26: BB

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
[REDACTED]		40565	R				
[REDACTED]		98637	V				
COOPER, CASSANDRA		40565	D				
CLARK, STEVEN	304	20805	A	13:29:50			
GRANT, REBECCA		25646	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015007431

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015007431

	Date	Time	Location Address Information
Received	8/06/15	4:29:52	CROMBERG/BULL RUN CREEK
Dispatched	8/06/15	4:29:59	CROMBERG
Enroute			PLUMAS
Arrived			Call Reported From: Telephone: (530) 000-0000
Under Control			CROMBERG/BULL RUN CREEK
Completed	8/06/15	16:23:04	1D3
			Third Party:
Signal	SWAT		SWAT CALL
Reference Signal	SWAT		SWAT CALL
Actual Signal	SWAT		SWAT CALL
Extra Phone 1:			Extra Phone 2:
Citations Issued	<input type="checkbox"/>	Weapon How Received: OI	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

DISPOSITION: PCSO USFS

NOTIFIED: NONE SELECTED

Notes:

67074 08/06/2015 4:29:52: MARIJUANA ERADICATION.

14652 08/07/2015 0:40:45: MB1S2

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
PEAY, CHANDLER	1T7	67074	R				
PEAY, CHANDLER	1T7	67074	D				
HENDRICKSON, CHRISTOPHER	1D2	64270	J	4:29:59			
UNITED STATES FOREST SERVICE,		30717	B				
FRAZIER, KRIS	1D3	69021	A	4:48:05			
BEATLEY, JEREMY	2S1	73067	B	4:48:09			
JOHNS, TODD	1A4	35241	U	4:48:11			
HOLLAND, CHRISTOPHER	11C1	97891	Z	4:48:14			
HERMANN, CHAD	CJ1	29133	U	4:48:32			
KIMBERLING, TROY	11E1	84273	Z	4:49:55			
GONZALES, RICH	11E6	110681	Z	4:51:13			
DRISCOLL, CHRISTOPHER	107	101069	B	4:53:13			
WINGFIELD, CARSON	1S3	85804	U	4:59:09			
BEATLEY, MATTHEW	1S2	14652	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015005099

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015005099

	Date	Time	Location Address Information
Received	6/14/15	17:03:23	349 W LOYALTON AV 19
Dispatched	6/14/15	17:04:28	PORTOLA
Enroute	6/14/15	17:04:35	PLUMAS
Arrived	6/14/15	17:11:18	Call Reported From: Telephone: [REDACTED]
Under Control	6/14/15	17:14:45	349 W LOYALTON AV 19 FEMALE
Completed	6/14/15	17:33:31	Third Party:
Signal	SUSP		SUSPICIOUS CIRCUMSTA
Reference Signal	SUSP		SUSPICIOUS CIRCUMSTA
Actual Signal	SUSP		SUSPICIOUS CIRCUMSTA

	Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/> Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

40565 06/14/2015 17:03:23: C/RPTS A STRONG SMELL OF MARIJUANA

86511 06/14/2015 17:32:54: DEP RPTS CONTACTING S/[REDACTED] WHO HAS A PROP 215. NO FURTHER

Parties Involved:

Name:	Eqp. No:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
[REDACTED]		40565	R				
WIMMACK, JEANETTE		86511	D				
FRAZIER, KRIS	103	69021	A	17:04:28	17:04:36	17:11:18	17:18:00
YOCKEY, THOMAS	109	81989	B	17:04:30	17:04:35	17:11:18	17:18:01
[REDACTED]		21744	S				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015003141

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015003141

	Date	Time	Location Address Information
Received	4/17/15	11:49:46	612 FIRST
Dispatched	4/17/15	13:27:04	CHESTER
Enroute			
Arrived	4/17/15	13:41:43	Call Reported From: Telephone: [REDACTED]
Under Control	4/17/15	13:41:43	612 FIRST
Completed	4/17/15	13:50:52	Third Party: [REDACTED] X1400
Signal	DRUG		DRUG VIOL
Reference Signal	DRUG		DRUG VIOL
Actual Signal	DRUG		DRUG VIOL

Extra Phone 1:

Extra Phone 2:

Citations Issued



Weapon How Received: PHONE

License No:

Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CR

NOTIFIED: NONE SELECTED

Notes:

40565 04/17/2015 11:49:46: CHESTER HIGH SCHOOL

SMALL BAG OF MARIJUANA FOUND

86513 04/17/2015 13:50:24: DEP ADVISED REFER CR

72346 04/17/2015 16:04:14: IJ 4S1

25646 04/20/2015 11:02:01: BG

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
[REDACTED]		40565	R				
[REDACTED]		117143	C				
COURTRIGHT, PAMELLA	1T3	86513	D				
CLARK, STEVEN	304	20805	A	13:27:04		13:41:43	
[REDACTED]		17945	V				
JAMES, IAN	4S1	72346	Z				
GRANT, REBECCA		25646	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015002313

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015002313

	Date	Time	Location Address Information
Received	3/18/15	18:38:34	155 SIXTH AV
Dispatched	3/18/15	18:39:26	PORTOLA
Enroute			PLUMAS
Arrived	3/18/15	18:48:10	Call Reported From: Telephone: [REDACTED]
Under Control	3/18/15	18:50:52	155 SIXTH AV
Completed	3/18/15	21:17:25	Third Party: [REDACTED] 201

Signal	JUVI	JUVENILE CALL
Reference Signal	JUVI	JUVENILE CALL
Actual Signal	JUVI	JUVENILE CALL

Extra Phone 1:	Extra Phone 2:
Citations Issued <input type="checkbox"/>	Weapon How Received: PHONE License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CR

NOTIFIED: NONE SELECTED

Notes:

86511 03/18/2015 18:38:34: C/RPTS THEY LOCATED MARIJUANA IN A STUDENT'S LOCKER
S/INDEXED

86511 03/18/2015 21:15:34: DEP RPTS REFER TO INFORMATIONAL REPORT SCHOOL TO HANDLE
DISCIPLINE.

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
CAMMACK, JEANETTE		86511	R				
[REDACTED]		103749	C				
COURTRIGHT, PAMELLA	1T3	86513	D				
KLUNDBY, TOM	203	36713	A	18:39:26		18:48:10	
[REDACTED]		122126	S				
[REDACTED]		82227	P				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015002189

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015002189

	Date	Time	Location Address Information
Received	3/14/15	12:43:26	149 HOT SPRINGS RD
Dispatched	3/14/15	12:43:31	GREENVILLE
Enroute	3/14/15	14:02:21	PLUMAS
Arrived	3/14/15	14:33:50	Call Reported From: Telephone: [REDACTED]
Under Control	3/14/15	14:37:31	149 HOT SPRINGS RD
Completed	3/14/15	15:23:47	Third Party: [REDACTED]
Signal	THEFT	THEFT	
Reference Signal	THEFT	THEFT	
Actual Signal	CIVIL	CIVIL MATTER	

	Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/> Weapon How Received: PHONE	License No: 3VLK087 Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86728 03/14/2015 12:43:26: C/REPORTS THEFT OF 2 LBS OF MEDICAL MARIJUANA
86728 03/14/2015 14:02:36: DEP ADVISES NEGATIVE THEFT CIVIL ISSUE
86728 03/14/2015 15:07:02: DEP PROVIDED A CIVIL STANDBY
ITEM RETURNED AS WELL AS A COMPUTER THAT BELONGS TO SUB INDEXED
JUVI SUB INDEXED WAS ALSO COUNSELED ON HIS BEHAVIOR
14652 03/15/2015 1:44:36: MDB2S1
25646 03/16/2015 10:57:43: BG

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
[REDACTED]		86728	R				
[REDACTED]		86728	D				
CLARK, STEVEN	304	20805	A	12:43:31	14:02:21	14:33:50	15:06:46
[REDACTED]		74248	C				
JAMES, IAN	4S1	72346	B	14:35:03		14:35:06	14:43:11
[REDACTED]		36210	C				
[REDACTED]		97382	S				
BEATLEY, MATTHEW	1S2	14652	Z				
GRANT, REBECCA		25646	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015001860

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015001860

	Date	Time	Location Address Information
Received	3/03/15	9:42:28	2336 E MAIN
Dispatched	3/03/15	11:16:39	QUINCY
Enroute			PLUMAS
Arrived	3/03/15	11:16:41	Call Reported From: Telephone: [REDACTED]
Under Control	3/03/15	11:20:02	2336 E MAIN
Completed	3/03/15	12:43:08	[REDACTED]
			Third Party:
Signal	PROBAT		PROBATION
Reference Signal	PROBAT		PROBATION
Actual Signal	PROBAT		PROBATION

Extra Phone 1:

Extra Phone 2:

Citations Issued

☐

Weapon How Received: PHONE

License No:

Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

78612 03/03/2015 9:42:28: C/REPORTS HER 18 YOA SON WHO IS ON PROBATION HAS POSSIBLY BEEN SMOKING MARIJUANA

SUB: [REDACTED]

UTL ANY PROBATION OR O/R TERMS

78612 03/03/2015 12:42:57: DEPUTY REPORTS NO VIOLATIONS OBSERVED

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
STANCER, ZOELLA	1T2	78612	R				
[REDACTED]		40263	C				
[REDACTED]		119519	S				
STANCER, ZOELLA	1T2	78612	D				
GOTT, ROBERT	104	12683	A	11:16:39		11:16:41	11:59:08

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2015000921

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2015000921

	Date	Time	Location Address Information
Received	2/03/15	17:32:06	20 CENTRAL AV 25
Dispatched	2/03/15	17:34:26	QUINCY
Enroute			PLUMAS
Arrived	2/03/15	18:36:23	Call Reported From: Telephone: (530) 394-0396
Under Control	2/03/15	18:40:58	20 CENTRAL AV 25
Completed	2/03/15	19:48:23	Third Party:
Signal	SUSP		SUSPICIOUS CIRCUMSTA
Reference Signal	SUSP		SUSPICIOUS CIRCUMSTA
Actual Signal	SUSP		SUSPICIOUS CIRCUMSTA
Extra Phone 1:			Extra Phone 2:
Citations Issued	<input type="checkbox"/>	Weapon How Received:	PHONE License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

78612 02/03/2015 17:32:06: QUINCY GARDEN APTS

C/REPORTS THERE IS A STRONG SMELL OF MARIJUANA COMING IN TO HER APT FROM HER NEIGHBORS.

C/IS CONCERNED BECUASE HER NEIGHBOR HAS CHILDREN IN THE HOME.

78612 02/03/2015 19:47:52: DEPUTY AND SGT REPORT NO VIOLATION AND CHILDREN WERE CODE FOUR.

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
STANCER, ZOELLA	1T2	78612	R				
STANCER, ZOELLA	1T2	78612	D				
WINGFIELD, CARSON	1S3	85804	U	17:34:26		18:36:23	18:49:16
BERG, BJORN	106	14746	A	18:36:20		18:36:24	18:49:18
		72562	C				
		97963	P				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014011225

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014011225

	Date	Time	Location Address Information
Received	12/04/14	4:24:48	RENO, NV
Dispatched			RENO
Enroute			
Arrived			Call Reported From: Telephone: (530) 000-0000
Under Control			RENO, NV
Completed	12/04/14	8:07:43	RENO POLICE
			Third Party:
Signal	AOA		ASSIST OTHER AGENCY
Reference Signal	AOA		ASSIST OTHER AGENCY
Actual Signal	AOA		ASSIST OTHER AGENCY
	Extra Phone 1:		Extra Phone 2:
Citations Issued	<input type="checkbox"/>	Weapon How Received:	TELETYPE License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PC80 CLOSED

NOTIFIED: NONE SELECTED

Notes:

67074 12/04/2014 4:24:48:

REQUEST FOR REGIONAL BROADCAST

RENO POLICE DEPARTMENT

ATL MISSING ENDANGERED PERSON [REDACTED]

SUBJECT HAS BEEN MISSING SINCE MONDAY MORNING. SHE HAS HYDRO-ENCEPHALUS WHICH HAS LEFT HER WITH THE MENTALITY OF A 15 YEAR OLD. SHE LEFT WITHOUT CLOTHING, HER PRESCRIPTION EYEGLASSES OR HER CELL PHONE CHARGER. ACCORDING TO HER PARENTS SHE HAS NEVER DONE THIS BEFORE. THEY SAID SHE MAKES POOR DECISIONS ESPECIALLY WHEN UNDER THE INFLUENCE OF ALCOHOL OR MARIJUANA. THE LAST CONTACT FROM HER WAS BY HER PART TIME EMPLOYER AT OUTDOOR IMAGE LANDSCAPING AT 2200 HOURS LAST NIGHT.

MISSING: [REDACTED] 5'5" 140

DOB: 05-02-1990

VEHICLE: 1994 TEAL CHEVY PICKUP (NV 460NBX)

72346 12/04/2014 9:42:35: IJ 4S1

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
PEAY, CHANDLER	1T7	67074	R				
[REDACTED]		93986	C				
[REDACTED]		121393	V				
PEAY, CHANDLER	1T7	67074	D				
DRISCOLL, CHRISTOPHER	107	101069	A	6:57:12			
JAMES, IAN	4S1	72345	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014010658

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014010658

	Date	Time	Location Address Information
Received	11/14/14	11:03:01	195 KATHERINE
Dispatched	11/14/14	11:03:04	QUINCY
Enroute	11/14/14	11:03:05	PLUMAS
Arrived	11/14/14	11:04:59	Call Reported From: Telephone: [REDACTED]
Under Control	11/14/14	11:08:13	195 KATHERINE
Completed	11/14/14	11:48:56	[REDACTED] Third Party: [REDACTED]

Signal	SUSP	SUSPICIOUS CIRCUMSTA
Reference Signal	SUSP	SUSPICIOUS CIRCUMSTA
Actual Signal	SUSP	SUSPICIOUS CIRCUMSTA

Extra Phone 1:	Extra Phone 2:
----------------	----------------

Citations Issued	<input type="checkbox"/> Weapon How Received: PHONE	License No:	Created: New
------------------	---	-------------	--------------

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86513 11/14/2014 11:04:44: C/RPTS FINDING DRUG PARAPHANALIA AT A VACANT PROPERTY AND POSS EVIDENCE OF SQUATTING

86513 11/14/2014 11:48:51: DEP ADVISED RP TURNED OVER A MARIJUANA PIPE

DEP ADVISED PROPERTY DESTROYED

72346 11/14/2014 12:15:07: IJ 4S1

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
COURTRIGHT, PAMELLA	1T3	86513	R				
COURTRIGHT, PAMELLA	1T3	86513	D				
DRISCOLL, CHRISTOPHER	107	101069	A	11:03:04	11:03:05	11:04:59	
[REDACTED]		34799	C				
TOWN & COUNTRY PROPERTIES,		30683	V				
JAMES, IAN	4S1	72346	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014010385

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014010385

	Date	Time	Location Address Information
Received	11/03/14	16:51:39	39300 HIGHWAY 70 20
Dispatched	11/03/14	17:47:41	QUINCY
Enroute	11/03/14	17:47:47	PLUMAS
Arrived			Call Reported From: Telephone: [REDACTED]
Under Control			39300 HIGHWAY 70 20
Completed	11/03/14	18:28:33	Third Party: [REDACTED]
Signal		THEFT	THEFT
Reference Signal		THEFT	THEFT
Actual Signal		THEFT	THEFT
		Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/>	Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CR

NOTIFIED: NONE SELECTED

Notes:

86511 11/03/2014 16:51:39: C/RPTS HE HAD 2 MARIJUANA PLANTS STOLEN FROM HIS FRONT YARD.
86511 11/03/2014 18:23:27: SGT RPTS REFER CR FOR 488 \$1000 LOSS PER THE RP'S ESTIMATE.
25646 11/04/2014 7:07:48: BG

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
CAMMACK, JEANETTE		86511	R				
CAMMACK, JEANETTE		86511	D				
WINGFIELD, CARSON	1S3	85804	A	17:47:41	17:47:47		18:09:27
[REDACTED]		33896	C				
GRANT, REBECCA		25646	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014009924

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014009924

	Date	Time	Location Address Information
Received	10/19/14	10:12:21	687 LEE RD
Dispatched	10/19/14	11:43:57	QUINCY
Enroute	10/19/14	11:43:58	PLUMAS
Arrived	10/19/14	11:44:46	Call Reported From: Telephone: [REDACTED]
Under Control	10/19/14	12:36:45	687 LEE RD
Completed	10/19/14	12:58:56	[REDACTED] [REDACTED]
Signal			Third Party:
Reference Signal	THEFT		THEFT
Actual Signal	THEFT		THEFT
	SUSP		SUSPICIOUS CIRCUMSTA

	Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/> Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86513 10/19/2014 10:12:52: C/RPTS THEFT OF THREE MARIJUANA PLANTS
ALSO MISSING PRUNING SHEERS

86513 10/19/2014 10:16:07: ADVISED HER DRIVEWAY IS ABOUT A 1/4 MI UP LEE RD AND ON THE
LEFT AFTER THE STORAGE UNITS

86513 10/19/2014 11:47:17: DEP ADVISED NEGATIVE CONTACT- NO ONE HOME

86513 10/19/2014 12:58:41: DEP ADVISED THE MISSING SHEERS WERE LOCATED
RP IS ONLY REQUESTING INFORMATION ON FILE

25646 10/20/2014 8:18:20: BG

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
COURTRIGHT, PAMELLA	1T3	86513	R				
[REDACTED]		48148	C				
COURTRIGHT, PAMELLA	1T3	86513	D				
FATHEREE, JOHN	204	98122	A	11:43:57	11:43:58	11:44:46	
GRANT, REBECCA		25646	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014009558

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014009558

	Date	Time	Location Address Information
Received	10/08/14	14:57:58	155 SIXTH AV
Dispatched			PORTOLA
Enroute			PLUMAS
Arrived			Call Reported From: Telephone: (530) 000-0000
Under Control			UNKNOWN
Completed	10/08/14	15:00:53	204
			Third Party:
Signal	JUVI		JUVENILE CALL
Reference Signal	JUVI		JUVENILE CALL
Actual Signal	JUVI		JUVENILE CALL
	Extra Phone 1:		Extra Phone 2:
Citations Issued	<input type="checkbox"/>	Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86513 10/08/2014 14:57:58: DEP RC'V REPORT FROM [REDACTED] AT PORTOLA HIGH SCHOOL WHO ADVISED SHE SEARCHED A STUDENT/INDEXED AND FOUND A LIGHTER, EYEDROPS, AND A CONTAINER WITH MARIJUANA RESIDUE.

INFORMATION ON FILE. SCHOOL TO HANDLE

86513 10/08/2014 14:59:18:

14652 10/09/2014 19:54:18: MDB2S1

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completec
COURTRIGHT, PAMELLA	1T3	86513	R				
[REDACTED]		111930	S				
[REDACTED]		103749	C				
FATHEREE, JOHN	204	98122	A				
PORTOLA HIGH SCHOOL, EXP 2/17/15		30099	V				
BEATLEY, MATTHEW	1S2	14652	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014009526

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014009526

	Date	Time	Location Address Information
Received	10/07/14	14:35:55	321 PONDEROSA AV
Dispatched			PORTOLA
Enroute			PLUMAS
Arrived			Call Reported From: Telephone: [REDACTED]
Under Control			331 PONDEROSA AV
Completed	10/07/14	14:42:24	Third Party: [REDACTED]
Signal	AP		ASSIST PUBLIC
Reference Signal	AP		ASSIST PUBLIC
Actual Signal	AP		ASSIST PUBLIC
	Extra Phone 1:		Extra Phone 2:
Citations Issued	<input type="checkbox"/>	Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86511 10/07/2014 14:37:58: C/RPTS THAT HER NEIGHBOR S [REDACTED] IS GROWING MARIJUANA AND IT STINKS. RP DOES NOT LIKE THE FACT THAT HER CHILDREN ARE EXPOSED TO THE SMELL. DET RPTS C/REQUESTS INFO ON FILE AND C/ADVISED TO CONTACT CITY COUNCIL. NO FURTHER

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
CAMMACK, JEANETTE		86511	R				
[REDACTED]		92375	C				
[REDACTED]		66086	S				
HENDRICKSON, CHRISTOPHER	1D2	64270	A				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014009429

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014009429

	Date	Time	Location Address Information
Received	10/04/14	16:56:49	141 MAIN 16
Dispatched	10/04/14	18:52:03	CRESCENT MILLS PLUMAS
Enroute			
Arrived			Call Reported From: Telephone: [REDACTED]
Under Control			141 MAIN 16
Completed	10/04/14	23:32:55	Third Party: ANONYMOUS
Signal	JUVI		JUVENILE CALL
Reference Signal	JUVI		JUVENILE CALL
Actual Signal	JUVI		JUVENILE CALL

	Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/> Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86511 10/04/2014 16:56:49: C/RPTS THERE IS AN 18 YO MALE WHO IS PROVIDING ALCOHOL TO UNDERAGE FEMALES AND ALSO MARIJUANA

86511 10/04/2014 23:32:12: DEPS RPTS CHECKING THE RESD UTL

Parties Involved:

Name:	Eq. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
CAMMACK, JEANETTE		86511	R				
[REDACTED]		117684	S				
CAMMACK, JEANETTE		86511	D				
KLUNDBY, TOM	203	36713	A	18:52:03			19:42:48
VICKREY, JACOB	105	76492	B	18:52:05			19:42:49

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014009140

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014009140

	Date	Time	Location Address Information
Received	9/25/14	17:33:11	35 CAROL LANE WEST
Dispatched	9/25/14	18:00:09	QUINCY
Enroute			PLUMAS
Arrived			Call Reported From: Telephone: [REDACTED]
Under Control			35 CAROL LANE WEST
Completed	9/25/14	19:07:48	Third Party: [REDACTED]
Signal	SUSP		SUSPICIOUS CIRCUMSTA
Reference Signal	SUSP		SUSPICIOUS CIRCUMSTA
Actual Signal	SUSP		SUSPICIOUS CIRCUMSTA
Extra Phone 1:		Extra Phone 2:	
Citations Issued	<input type="checkbox"/>	Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

40565 09/25/2014 17:33:10: C/RPTS HIS NEIGHBORS ARE HARVESTING SOME MARIJUANA PLANTS AT THE ABOVE RESD

40565 09/25/2014 19:07:09: INFO TO D-UNITS

14652 09/26/2014 22:59:53: MDB2S1

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
[REDACTED]		40565	R				
STANCER, ZOELLA	1T2	78612	D				
VICKREY, JACOB	105	76492	A	18:00:09			
BEATLEY, MATTHEW	1S2	14652	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014008470

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014008470

	Date	Time	Location Address Information
Received	9/05/14	17:57:27	GANSNER PARK
Dispatched			QUINCY
Enroute			PLUMAS
Arrived			Call Reported From: Telephone: (530) 000-0000
Under Control			GANSNER PARK
Completed	9/05/14	18:40:21	REFUSED FEMALE
			Third Party:
Signal	DRUG		DRUG VIOL
Reference Signal	DRUG		DRUG VIOL
Actual Signal	DRUG		DRUG VIOL
	Extra Phone 1:		Extra Phone 2:
Citations Issued	<input type="checkbox"/>	Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

78612 09/05/2014 17:57:27: C/REPORT'S SUB:INDEXED IS ON PROBATION AND WAS POSSIBLY JUST SMOKING MARIJUANA

SUB LEFT AND IS WALKING WESTBOUND OVER THE GANSNER BRIDGE
SHORTS AND A BLK SHIRT WITH A "MONSTER" EMBLEM

78612 09/05/2014 18:04:26: NEG PROBATION

78612 09/05/2014 18:39:47: DEPUTY REPORTS HE WAS IN THE AREA AT THE TIME OF THE CALL AND DIDNT SEE THAT SUB WALKING ON THE BRIDGE.

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completec
STANCER, ZOELLA	1T2	78612	R				
		105754	S				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014008461

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014008461

	Date	Time	Location Address Information
Received	9/05/14	15:41:17	527 BELL LN
Dispatched	9/05/14	15:42:54	QUINCY
Enroute	9/05/14	15:43:15	PLUMAS
Arrived	9/05/14	15:47:28	Call Reported From: Telephone: [REDACTED] 527 BELL LN
Under Control	9/05/14	15:51:37	[REDACTED] [REDACTED]
Completed	9/05/14	15:56:10	Third Party:
Signal	DRUG		DRUG VIOL
Reference Signal	DRUG		DRUG VIOL
Actual Signal	DRUG		DRUG VIOL

Extra Phone 1:

Extra Phone 2:

Citations Issued

☐

Weapon How Received: PHONE

License No:

Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

40565 09/05/2014 15:41:17: SIERRA HOUSE

C/RPTS ONE OF THEIR PATIENTS WAS SMOKING MARIJUANA AND WOULD LIKE A DEP TO RESPOND

40565 09/05/2014 15:56:06: DEP ADVISED SUSPECT WAS COUNSELLED

14652 09/06/2014 20:18:53: MDB2S1

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completec
[REDACTED]		40565	R				
[REDACTED]		31877	C				
[REDACTED]		40565	D				
GOTT, ROBERT	104	12683	A	15:42:54	15:43:15	15:47:28	15:54:21
[REDACTED]		39552	S				
BEATLEY, MATTHEW	1S2	14652	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014007424

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014007424

	Date	Time	Location Address Information
Received	8/06/14	16:30:01	226 ARRIBA AV
Dispatched	8/06/14	17:26:00	PORTOLA
Enroute	8/07/14	10:51:14	PLUMAS
Arrived	8/06/14	18:48:28	Call Reported From: Telephone: [REDACTED]
Under Control	8/06/14	18:48:35	226 ARRIBA AV
Completed	8/06/14	18:49:49	Third Party: [REDACTED] 228-8985
Signal	WELFAR		WELFARE CHECK
Reference Signal	WELFAR		WELFARE CHECK
Actual Signal	WELFAR		WELFARE CHECK

	Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/> Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: PCSO SOC SERV

Notes:

86513 08/06/2014 16:30:01: C/REQ A WELFARE CHECK ON THE CHILDREN AT THIS RESIDENCE

SHOULD BE 3 CHILDREN IN THE HOUSE- 1 MALE AND THREE OLDER FEMALES- AGES 12/15/16/19
POSS MARIJUANA PLANTS GROWING UNDER THE HOUSE
POSS H&S USE
CPS ADVISED THAT THE S/ WIFE JUST LEFT HIM AS HE WAS ABUSIVE TO HER.

86513 08/06/2014 17:25:54: INFO TO DEP VIA 21

86512 08/06/2014 18:49:59: DEP ADVISED NO ONE HOME

86513 08/06/2014 20:27:45: DEPS ADVISED ATTEMPTED SEVERAL TIMES TO MAKE CONTACT- S/ NOT AT THE RES.

ADVISED THEY DID LOOK UNDER THE RES- NEGATIVE H&S

40565 08/07/2014 11:08:03: DEP ADVISED CHILDREN CODE FOUR NEG H&S USE BY THE FATHER

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completec
COURTRIGHT, PAMELLA	1T3	86513	R				
[REDACTED]		93387	S				
[REDACTED]		114785	C				
COURTRIGHT, PAMELLA	1T3	86513	D				
MURANA, ANDREA	202	69786	A	17:26:00		18:48:30	18:49:48
KLUNDBY, TOM	203	36713	B	18:41:27		18:48:28	18:49:47
[REDACTED]		86512	Z				
BERG, BJORN	106	14746	B	9:31:20	10:51:14	10:16:10	11:07:50
[REDACTED]		40565	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014006164

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014006164

	Date	Time	Location Address Information
Received	7/09/14	20:26:26	179 LAWRENCE 25
Dispatched	7/09/14	20:34:27	QUINCY
Enroute	7/09/14	20:34:35	PLUMAS
Arrived	7/09/14	20:46:46	Call Reported From: Telephone: [REDACTED] POST OFFICE PARKING LOT
Under Control	7/09/14	20:50:16	[REDACTED] [REDACTED]
Completed	7/09/14	21:43:11	Third Party:
Signal	911C		CELL 911
Reference Signal	911C		CELL 911
Actual Signal	INTOX		PUBLIC INTOXICATION

	Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/> Weapon How Received: E911	License No: Created: E911

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO BOOKING

DISPOSITION: PCSO CR

NOTIFIED: NONE SELECTED

Notes:

86513 07/09/2014 20:26:26: XCoordinate = 40.04432900 YCoordinate = -120.886323

86513 07/09/2014 20:26:33: 911 CELL HANGUP- PINS TO TOWER

86513 07/09/2014 20:27:50: RP CALLED BACK AND ADVISED SHE LET DEVON TAYLOR BORROW HER MEDICINAL MARIJUANA AND NOW HE WONT RETURN IT- ADVISED HE TOLD HER TO GET OFF HIS PROPERTY AND THEY WERE VERBALLY ARGUING.

ADVISED SHE WILL WAIT AT THE POST OFFICE PARKING LOT

86513 07/09/2014 20:29:15:

86513 07/09/2014 21:04:42: DEP RPTS THE ARREST OF

S/ [REDACTED]

VIOL: 647F, 148 PC

PAPERWORK TO RECORDS

86513 07/09/2014 21:20:50: DEP ADVISED CIVIL MATTER BETWEEN [REDACTED] AND THE RP.

86513 07/09/2014 21:49:49: DEP ADVISED SAME FEMALE FROM CASE 14-6161- SHE IS CODE 4 AND CONFIRMED BY [REDACTED] NEGATIVE DV- V/WAS VERY HBD AND THEY WERE TRYING TO GET HER IN THE VEHICLE.

72346 07/10/2014 16:59:23: IJ 4S1

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
COURTRIGHT, PAMELLA	1T3	86513	R				
COURTRIGHT, PAMELLA	1T3	86513	D				
DRISCOLL, CHRISTOPHER	107	101069	A	20:34:27	20:34:36	20:46:46	
BEATLEY, MATTHEW	1S2	14652	B	20:34:34	20:34:35	20:46:52	
VICKREY, JACOB	105	76492	B	20:47:07	21:02:45	20:47:12	
[REDACTED]		104638	O				
[REDACTED]		70452	S				
JAMES, IAN	4S1	72346	Z				
GRANT, TYLER	CS4	92075	B				
BAKKER, DEBBIE	1J3	66112	B				
GAMBERG, RYAN	00000	94891	B				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014006045

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014006045

	Date	Time	Location Address Information
Received	7/06/14	20:33:07	167 SUGAR PINE
Dispatched	7/06/14	20:42:45	QUINCY
Enroute	7/06/14	20:43:42	PLUMAS
Arrived	7/06/14	20:53:52	Call Reported From: Telephone: [REDACTED]
Under Control	7/06/14	20:57:53	167 SUGAR PINE
Completed	7/06/14	21:11:05	Third Party: [REDACTED]
Signal	TRESPA		TRESPASS
Reference Signal	TRESPA		TRESPASS
Actual Signal	TRESPA		TRESPASS

Extra Phone 1:		Extra Phone 2:	
Citations Issued	<input type="checkbox"/>	Weapon How Received: PHONE	License No:
			Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86513 07/06/2014 20:33:06: C/RPTS THERE SEVERAL SUBJECTS FROM THE MUSIC FESTIVAL ON HIS PROPERTY- ARE POSSIBLY SMOKING MARIJUANA
RP IS CONCERNED FOR THE FIRE DANGER
-POSS THREE PEOPLE

86513 07/06/2014 21:10:47: SGT ADVISED CONTACTED THE RP REGARDING MULTIPLE SUBJECTS
TRESPASSING THROUGHOUT THE WEEKEND- NO ONE ON THE PROPERTY NOW - RPS PROPERTY
BACKS UP TO THE FAIRGROUNDS PROPERTY
INFORMATION ON FILE.
25646 07/07/2014 7:11:49: BG

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
COURTRIGHT, PAMELLA	1T3	86513	R				
[REDACTED]		47285	C				
STANCER, ZOELLA	1T2	78612	D				
WINGFIELD, CARSON	1S3	85804	A	20:42:45	20:43:42	20:53:52	
GRANT, REBECCA		25646	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014004466

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014004466

	Date	Time	Location Address Information
Received	5/30/14	17:28:45	20 CENTRAL AV 34
Dispatched	5/30/14	18:02:58	QUINCY
Enroute	5/30/14	18:03:00	PLUMAS
Arrived	5/30/14	18:04:51	Call Reported From: Telephone: [REDACTED]
Under Control	5/30/14	18:06:57	20 CENTRAL AV 34
Completed	5/30/14	18:23:58	Third Party: [REDACTED]
Signal	SUSP		SUSPICIOUS CIRCUMSTA
Reference Signal	SUSP		SUSPICIOUS CIRCUMSTA
Actual Signal	SUSP		SUSPICIOUS CIRCUMSTA

Extra Phone 1:		Extra Phone 2:	
Citations Issued	<input type="checkbox"/> Weapon How Received: PHONE	License No:	Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86512 05/30/2014 17:28:45: C/ REPORTS 7-8 JUVS SMOKING WEED AT THE PLAY GROUND, C/
ADVISED HT TALL WMJ LIVES IN #34 UNKNOWN NAME
86512 05/30/2014 18:23:24: DEP ADVISED NEG MARIJUANA, JUVS WERE CODE 4

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
CERVANTES, RENEE		86512	R				
[REDACTED]		95899	C				
[REDACTED]		86512	D				
VICKREY, JACOB	105	76492	A	18:02:58	18:03:00	18:04:51	18:09:53
[REDACTED]		105678	S				
[REDACTED]		107719	S				
[REDACTED]		118010	S				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014003738

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014003738

	Date	Time	Location Address Information
Received	5/09/14	21:33:12	20 E MAIN
Dispatched	5/09/14	21:35:04	QUINCY
Enroute	5/09/14	21:35:25	PLUMAS
Arrived	5/09/14	21:41:11	Call Reported From: Telephone: [REDACTED]
Under Control	5/09/14	21:42:38	39285 HWY 70 7 [REDACTED]
Completed	5/10/14	0:29:35	Third Party: [REDACTED]
Signal		THEFT	THEFT
Reference Signal		THEFT	THEFT
Actual Signal		CIVIL	CIVIL MATTER

	Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/> Weapon How Received: E911	License No: Created: E911

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86511 05/09/2014 21:33:12: XCoordinate = 39.95201800 YCoordinate = -120.966403
C/RPTS SOMEONE STOLE SOME PROPERTY OUT OF HIS VEH
86511 05/09/2014 22:08:04: DEP RPTS NEG THEFT CIVIL ISSUE OVER OWNERSHIP OF MARIJUANA.
DEP RPTS C/COULD ONLY PROVIDE THE FIRST NAME OF THE S/BRADLEY. NO FURTHER INFO
PROVIDED.
85804 05/11/2014 23:55:26: CLW1S3
25646 05/12/2014 8:46:31: TO JEANETTE- BG

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
CAMMACK, JEANETTE		86511	R				
CAMMACK, JEANETTE		86511	D				
VICKREY, JACOB	105	76492	A	21:35:04	21:35:25	21:41:11	22:19:54
[REDACTED]		114347	C				
WINGFIELD, CARSON	1S3	85804	Z				
GRANT, REBECCA		25646	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014003013

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014003013

	Date	Time	Location Address Information
Received	4/16/14	12:45:24	BUCKS LAKE RD
Dispatched	4/16/14	12:59:32	QUINCY
Enroute			PLUMAS
Arrived			Call Reported From: Telephone: [REDACTED]
Under Control			BUCKS LAKE RD
Completed	4/16/14	13:19:55	[REDACTED] [REDACTED]
			Third Party:
Signal	CHP		CHP CALL
Reference Signal	CHP		CHP CALL
Actual Signal	CHP		CHP CALL

	Extra Phone 1:	Extra Phone 2:
Citations Issued	<input type="checkbox"/> Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: PCSO CHP

Notes:

78612 04/16/2014 12:45:24: C/REPORTS A SUB WAS SMOKING MARIJUANA AND THEN DROVE OFF
DRK GRY DODGE DURANGO [REDACTED]

LEFT HEADED TOWARDS QUINCY

WMA WHI HAIR WHI MUSTACHE

25646 04/17/2014 15:45:34: BG

14652 04/17/2014 22:37:33: MDB2S1

Parties Involved:

Name:	Eq. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completec
STANCER, ZOELLA	1T2	78612	R				
STANCER, ZOELLA	1T2	78612	D				
FATHEREE, JOHN	204	98122	A	12:59:32			
[REDACTED]		24307	C				
CALIFORNIA HIGHWAY PATROL,		16809	A				
GRANT, REBECCA		25646	Z				
BEATLEY, MATTHEW	1S2	14652	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014002475

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014002475

	Date	Time	Location Address Information
Received	3/29/14	17:00:24	400 RUSH CREEK RD
Dispatched	3/29/14	19:37:30	TWAIN
Enroute	3/29/14	19:37:35	PLUMAS
Arrived	3/29/14	20:33:21	Call Reported From: Telephone: [REDACTED]
Under Control	3/29/14	20:36:58	UNKNOWN
Completed	3/29/14	21:27:00	Third Party: [REDACTED] ANONYMOUS 8018331250
Signal	WELFAR		WELFARE CHECK
Reference Signal	WELFAR		WELFARE CHECK
Actual Signal	WELFAR		WELFARE CHECK

Extra Phone 1:	Extra Phone 2:
Citations Issued <input type="checkbox"/> Weapon How Received: PHONE	License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED

NOTIFIED: NONE SELECTED

Notes:

86511 03/29/2014 17:02:00: C/REQUESTS A WELFARE CHECK ON 2 CHILDREN WHO ARE 3 AND 4 YEARS OF AGE

* [REDACTED] IS POSSIBLY SMOKING MARIJUANA AROUND THE CHILDREN AND ACTUALLY BLOWING THE SMOKE IN THEIR FACES.

C/WAS ADAMANT THAT HE WANTS TO REMAIN ANONYMOUS AND WOULD ONLY PROVIDE MINIMAL INFORMATION.

86511 03/29/2014 21:25:44: OTHER PARTY [REDACTED] CALLED ALSO.

86511 03/29/2014 21:26:38: DEP RPTS CHILDREN ARE C/4 AND WELL TAKEN CARE OF. LIVING CONDITIONS WERE NOT FILTHY. S/ONLY LIVES IN THE RESIDENCE 3 DAYS A WEEK AND LIVES OUT OF COUNTY THE REST OF THE WEEK. MOTHER WAS COUNSELLED ON USE OF MARIJUANA IN THE RESIDENCE. NO FURTHER
25646 03/31/2014 8:07:21: BG

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completec
CAMMACK, JEANETTE		86511	R				
[REDACTED]		82150	S				
[REDACTED]		37496	C				
[REDACTED]		118812	V				
[REDACTED]		118813	V				
CAMMACK, JEANETTE		86511	D				
VICKREY, JACOB	105	76492	A	19:37:30	19:37:35	20:33:21	20:47:49
KLUNDBY, TOM	203	36713	B	19:37:33	19:37:36	20:33:22	20:47:49
[REDACTED]		118814	P				
[REDACTED]		76907	P				
GRANT, REBECCA		25646	Z				

Dispatch Agency: PLUMAS CO SHERIFF'S OFFICE Call Number: 2014000849

Agency Involved: PLUMAS CO SHERIFF'S OFFICE Agency Call Number: 2014000849

	Date	Time	Location Address Information
Received	1/31/14	15:11:10	151 MYRTLE A
Dispatched			CHESTER
Enroute			PLUMAS
Arrived			Call Reported From: Telephone: [REDACTED] 000-0000
Under Control			CPS
Completed	1/31/14	15:12:08	Third Party: [REDACTED]
Signal	CPS		CPS CALL
Reference Signal	CPS		CPS CALL
Actual Signal	CPS		CPS CALL

Extra Phone 1:	Extra Phone 2:
Citations Issued <input type="checkbox"/>	Weapon How Received: FAX License No: Created: New

DISPOSITIONS/NOTIFIEDS

DISPOSITION: PCSO CLOSED NOTIFIED: NONE SELECTED

Notes:

86511 01/31/2014 15:11:10: C/FAXED OVER A SCAR.

V/INDEXED

DEP RPTS CHECKING THE RESIDENCE AND CONTACTING THE S/ AND V/AND ADVISED UNFOUNDED. NO FURTHER

72346 02/01/2014 23:48:20: SUBJECT HAS LEGAL MARIJUANA GROW WITH PROPER 215 PAPERWORK. GROW IS OUTSIDE RESIDENCE.

IJ 4S1

25646 02/06/2014 10:14:46: BG

Parties Involved:

Name:	Eqp. No.:	ID Number	Party	Dispatched	Enroute	Arrived	Completed
[REDACTED]		114785	C				
[REDACTED]		84897	S				
[REDACTED]		118318	V				
ISHAM, DAVID	X401	112281	A				
JAMES, IAN	4S1	72346	U				
CAMMACK, JEANETTE		86511	R				
GRANT, REBECCA		25646	Z				

California Medical Marijuana Regulation & Safety Act & Related Code Sections

Contents

Medical Marijuana Regulation and Safety Act (MMRSA)

Business and Professions Code Chapter 3.5

Article 1. Definitions	1
Article 2. Administration	5
Article 3. Enforcement	6
Article 4. Licensing	9
Article 5. Medical Marijuana Regulation	12
Article 6. Licensed Cultivation Sites	15
Article 7. Licensed Distributors, Dispensaries, and Transporters	17
Article 7.5. Unique Identifier and Track and Trace Program	18
Article 8. Licensed Transporters	19
Article 9. Delivery	20
Article 10. Licensed Manufacturers and Licensed Laboratories	20
Article 11. Taxation	23
Article 13. Funding	24
Article 14. Reporting	25
Article 15. Privacy	26
Article 17. Penalties and Violations	26

Related California Code Sections enacted in conjunction with the MMRSA

Fish and Game Code Section 12029	27
Health and Safety Code Sections 11362.769, 11362.775 & 11362.777	27
Labor Code Section 147.5	30
Revenue and Taxation Code Section 31020	30
Water Code Section 13276	30

Other Amendments to the Business and Professions Code and Government Code

Business and Professions Code Section 101 <i>amended</i>	32
Business and Professions Code Section 144 <i>amended</i>	33
Business and Professions Code 205.1 added	34
Business and Professions Code Section 2220.05 <i>amended</i>	34
Business and Professions Code Section 2241.5 <i>amended</i>	34

California Medical Marijuana Regulation & Safety Act & Related Code Sections

Business and Professions Code Section 2242.1 amended.....	35
Business and Professions Code, Division 2, Chapter 5, Article 25 added	35
Article 25. Recommending Medical Cannabis.....	35
Government Code Section 9147.7 amended	36

Appendix

Chart of SB 643, AB 266, and AB 243 showing bill origin of sections listed above.....	38
---	----

California Business & Professions Code

Chapter 3.5. Medical Marijuana Regulation and Safety Act

Article 1. Definitions

19300. This act shall be known and may be cited as the Medical Marijuana Regulation and Safety Act.

19300.5. For purposes of this chapter, the following definitions shall apply:

(a) "Accrediting body" means a nonprofit organization that requires conformance to ISO/IEC 17025 requirements and is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement for Testing.

(b) "Applicant," for purposes of Article 4 (commencing with Section 19319), means the following:

- (1) Owner or owners of a proposed facility, including all persons or entities having ownership interest other than a security interest, lien, or encumbrance on property that will be used by the facility.
- (2) If the owner is an entity, "owner" includes within the entity each person participating in the direction, control, or management of, or having a financial interest in, the proposed facility.
- (3) If the applicant is a publicly traded company, "owner" means the chief executive officer or any person or entity with an aggregate ownership interest of 5 percent or more.

(c) "Batch" means a specific quantity of medical cannabis or medical cannabis products that is intended to have uniform character and quality, within specified limits, and is produced according to a single manufacturing order during the same cycle of manufacture.

(d) "Bureau" means the Bureau of Medical Marijuana Regulation within the Department of Consumer Affairs.

(e) "Cannabinoid" or "phytocannabinoid" means a chemical compound that is unique to and derived from cannabis.

(f) "Cannabis" means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from marijuana. "Cannabis" also means marijuana as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this chapter, "cannabis" does not mean "industrial hemp" as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code.

(g) "Cannabis concentrate" means manufactured cannabis that has undergone a process to concentrate the cannabinoid active ingredient, thereby increasing the product's potency. An edible medical cannabis product is not considered food, as defined by Section 109935 of the Health and Safety Code, or a drug, as defined by Section 109925 of the Health and Safety Code.

(h) "Caregiver" or "primary caregiver" has the same meaning as that term is defined in Section 11362.7 of the Health and Safety Code.

(i) "Certificate of accreditation" means a certificate issued by an accrediting body to a licensed testing laboratory, entity, or site to be registered in the state.

(j) "Chief" means Chief of the Bureau of Medical Marijuana Regulation within the Department of Consumer Affairs.

(k) "Commercial cannabis activity" includes cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, or sale of medical cannabis or a medical cannabis product, except as set forth in Section 19319, related to qualifying patients and primary caregivers.

(l) "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

(m) "Delivery" means the commercial transfer of medical cannabis or medical cannabis products from a dispensary, up to an amount determined by the bureau to a primary caregiver or qualified patient as defined in Section 11362.7 of the Health and Safety Code, or a testing laboratory. "Delivery" also includes the use by a dispensary of any technology platform owned and controlled by the dispensary, or independently licensed under this chapter, that enables qualified patients or primary caregivers to arrange for or facilitate the commercial transfer by a licensed dispensary of medical cannabis or medical cannabis products.

(n) "Dispensary" means a facility where medical cannabis, medical cannabis products, or devices for the use of medical cannabis or medical cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers, pursuant to express authorization by local ordinance, medical cannabis and medical cannabis products as part of a retail sale.

(o) "Dispensing" means any activity involving the retail sale of medical cannabis or medical cannabis products from a dispensary.

(p) "Distribution" means the procurement, sale, and transport of medical cannabis and medical cannabis products between entities licensed pursuant to this chapter.

(q) "Distributor" means a person licensed under this chapter to engage in the business of purchasing medical cannabis from a licensed cultivator, or medical cannabis products from a licensed manufacturer, for sale to a licensed dispensary.

(r) "Dried flower" means all dead medical cannabis that has been harvested, dried, cured, or otherwise processed, excluding leaves and stems.

(s) "Edible cannabis product" means manufactured cannabis that is intended to be used, in whole or in part, for human consumption, including, but not limited to, chewing gum. An edible medical cannabis product is not considered food as defined by Section 109935 of the Health and Safety Code or a drug as defined by Section 109925 of the Health and Safety Code.

(t) "Fund" means the Medical Marijuana Regulation and Safety Act Fund established pursuant to Section 19351.

(u) "Identification program" means the universal identification certificate program for commercial medical cannabis activity authorized by this chapter.

(v) "Labor peace agreement" means an agreement between a licensee and a bona fide labor organization that, at a minimum, protects the state's proprietary interests by prohibiting labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with the applicant's business. This agreement means that the applicant has agreed not to disrupt efforts by the bona fide labor organization to communicate with, and attempt to organize and represent, the applicant's employees. The agreement shall provide a bona fide labor organization access at reasonable times to areas in which the applicant's employees work, for the purpose of meeting with employees to discuss their right to representation, employment rights under state law, and terms and conditions of employment. This type of agreement shall not mandate a particular method of election or certification of the bona fide labor organization.

(w) "Licensing authority" means the state agency responsible for the issuance, renewal, or reinstatement of the license, or the state agency authorized to take disciplinary action against the license.

(x) "Cultivation site" means a facility where medical cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or that does all or any combination of those activities, that holds a valid state license pursuant to this chapter, and that holds a valid local license or permit.

(y) "Manufacturer" means a person that conducts the production, preparation, propagation, or compounding of manufactured medical cannabis, as described in subdivision (ae), or medical cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages medical cannabis or medical cannabis products or labels or relabels its container, that holds a valid state license pursuant to this chapter, and that holds a valid local license or permit.

(z) "Testing laboratory" means a facility, entity, or site in the state that offers or performs tests of medical cannabis or medical cannabis products and that is both of the following:

(1) Accredited by an accrediting body that is independent from all other persons involved in the medical cannabis industry in the state.

(2) Registered with the State Department of Public Health.

(aa) "Transporter" means a person issued a state license by the bureau to transport medical cannabis or medical cannabis products in an amount above a threshold determined by the bureau between facilities that have been issued a state license pursuant to this chapter.

(ab) "Licensee" means a person issued a state license under this chapter to engage in commercial cannabis activity.

(ac) "Live plants" means living medical cannabis flowers and plants, including seeds, immature plants, and vegetative stage plants.

(ad) "Lot" means a batch, or a specifically identified portion of a batch, having uniform character and quality within specified limits. In the case of medical cannabis or a medical cannabis product produced by a continuous process, "lot" means a specifically identified amount produced in a unit of time or a quantity in a manner that ensures its having uniform character and quality within specified limits.

(ae) "Manufactured cannabis" means raw cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, an edible product, or a topical product.

(af) "Manufacturing site" means a location that produces, prepares, propagates, or compounds manufactured medical cannabis or medical cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and is owned and operated by a licensee for these activities.

(ag) "Medical cannabis," "medical cannabis product," or "cannabis product" means a product containing cannabis, including, but not limited to, concentrates and extractions, intended to be sold for use by medical cannabis patients in California pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code. For the purposes of this chapter, "medical cannabis" does not include "industrial hemp" as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code.

(ah) "Nursery" means a licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of medical cannabis.

(ai) "Permit," "local license," or "local permit" means an official document granted by a local jurisdiction that specifically authorizes a person to conduct commercial cannabis activity in the local jurisdiction.

(aj) "Person" means an individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit and includes the plural as well as the singular number.

(ak) "State license," "license," or "registration" means a state license issued pursuant to this chapter.

(al) "Topical cannabis" means a product intended for external use. A topical cannabis product is not considered a drug as defined by Section 109925 of the Health and Safety Code.

(am) "Transport" means the transfer of medical cannabis or medical cannabis products from the permitted business location of one licensee to the permitted business location of another licensee, for the purposes of conducting commercial cannabis activity authorized pursuant to this chapter.

19300.7. License classifications pursuant to this chapter are as follows:

- (a) Type 1 = Cultivation; Specialty outdoor; Small.
- (b) Type 1A = Cultivation; Specialty indoor; Small.
- (c) Type 1B = Cultivation; Specialty mixed-light; Small.
- (d) Type 2 = Cultivation; Outdoor; Small.
- (e) Type 2A = Cultivation; Indoor; Small.
- (f) Type 2B = Cultivation; Mixed-light; Small.
- (g) Type 3 = Cultivation; Outdoor; Medium.
- (h) Type 3A = Cultivation; Indoor; Medium.

- (i) Type 3B = Cultivation; Mixed-light; Medium.
- (j) Type 4 = Cultivation; Nursery.
- (k) Type 6 = Manufacturer 1.
- (l) Type 7 = Manufacturer 2.
- (m) Type 8 = Testing.
- (n) Type 10 = Dispensary; General.
- (o) Type 10A = Dispensary; No more than three retail sites.
- (p) Type 11 = Distribution.
- (q) Type 12 = Transporter.

Article 2. Administration

19302. There is in the Department of Consumer Affairs the Bureau of Medical Marijuana Regulation, under the supervision and control of the director. The director shall administer and enforce the provisions of this chapter.

19302.1. (a) The Governor shall appoint a chief of the bureau, subject to confirmation by the Senate, at a salary to be fixed and determined by the director with the approval of the Director of Finance. The chief shall serve under the direction and supervision of the director and at the pleasure of the Governor.

(b) Every power granted to or duty imposed upon the director under this chapter may be exercised or performed in the name of the director by a deputy or assistant director or by the chief, subject to conditions and limitations that the director may prescribe. In addition to every power granted or duty imposed with this chapter, the director shall have all other powers and duties generally applicable in relation to bureaus that are part of the Department of Consumer Affairs.

(c) The director may employ and appoint all employees necessary to properly administer the work of the bureau, in accordance with civil service laws and regulations.

(d) The Department of Consumer Affairs shall have the sole authority to create, issue, renew, discipline, suspend, or revoke licenses for the transportation, storage unrelated to manufacturing activities, distribution, and sale of medical marijuana within the state and to collect fees in connection with activities the bureau regulates. The bureau may create licenses in addition to those identified in this chapter that the bureau deems necessary to effectuate its duties under this chapter.

(e) The Department of Food and Agriculture shall administer the provisions of this chapter related to and associated with the cultivation of medical cannabis. The Department of Food and Agriculture shall have the authority to create, issue, and suspend or revoke cultivation licenses for violations of this chapter. The State Department of Public Health shall administer the provisions of this chapter related to and associated with the manufacturing and testing of medical cannabis.

19303. Protection of the public shall be the highest priority for the bureau in exercising its licensing, regulatory, and disciplinary functions under this chapter. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

19304. The bureau shall make and prescribe reasonable rules as may be necessary or proper to carry out the purposes and intent of this chapter and to enable it to exercise the powers and duties conferred

upon it by this chapter, not inconsistent with any statute of this state, including particularly this chapter and Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For the performance of its duties, the bureau has the power conferred by Sections 11180 to 11191, inclusive, of the Government Code.

19305. Notice of any action of the licensing authority required by this chapter to be given may be signed and given by the director or an authorized employee of the department and may be made personally or in the manner prescribed by Section 1013 of the Code of Civil Procedure.

19306. (a) The bureau may convene an advisory committee to advise the bureau and licensing authorities on the development of standards and regulations pursuant to this chapter, including best practices and guidelines to ensure qualified patients have adequate access to medical cannabis and medical cannabis products. The advisory committee members shall be determined by the chief.
(b) The advisory committee members may include, but not be limited to, representatives of the medical marijuana industry, representatives of medical marijuana cultivators, appropriate local and state agencies, appropriate local and state law enforcement, physicians, environmental and public health experts, and medical marijuana patient advocates.

19307. A licensing authority may make or cause to be made such investigation as it deems necessary to carry out its duties under this chapter.

19308. For any hearing held pursuant to this chapter, the director, or a licensing authority, may delegate the power to hear and decide to an administrative law judge. Any hearing before an administrative law judge shall be pursuant to the procedures, rules, and limitations prescribed in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

19309. In any hearing before a licensing authority pursuant to this chapter, the licensing authority may pay any person appearing as a witness at the hearing at the request of the licensing authority pursuant to a subpoena, his or her actual, necessary, and reasonable travel, food, and lodging expenses, not to exceed the amount authorized for state employees.

19310. The department may on its own motion at any time before a penalty assessment is placed into effect and without any further proceedings, review the penalty, but such review shall be limited to its reduction.

Article 3. Enforcement

19311. Grounds for disciplinary action include:

(a) Failure to comply with the provisions of this chapter or any rule or regulation adopted pursuant to this chapter.

(b) Conduct that constitutes grounds for denial of licensure pursuant to Chapter 3 (commencing with Section 490) of Division 1.5.

(c) Any other grounds contained in regulations adopted by a licensing authority pursuant to this chapter.

(d) Failure to comply with any state law, except as provided for in this chapter or other California law.

19312. Each licensing authority may suspend or revoke licenses, after proper notice and hearing to the licensee, if the licensee is found to have committed any of the acts or omissions constituting grounds for disciplinary action. The disciplinary proceedings under this chapter shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the director of each licensing authority shall have all the powers granted therein.

19313. Each licensing authority may take disciplinary action against a licensee for any violation of this chapter when the violation was committed by the licensee's agent or employee while acting on behalf of the licensee or engaged in commercial cannabis activity.

19313.5. Upon suspension or revocation of a license, the licensing authority shall inform the bureau. The bureau shall then inform all other licensing authorities and the Department of Food and Agriculture.

19314. All accusations against licensees shall be filed by the licensing authority within five years after the performance of the act or omission alleged as the ground for disciplinary action; provided, however, that the foregoing provision shall not constitute a defense to an accusation alleging fraud or misrepresentation as a ground for disciplinary action. The cause for disciplinary action in such case shall not be deemed to have accrued until discovery, by the licensing authority, of the facts constituting the fraud or misrepresentation, and, in such case, the accusation shall be filed within five years after such discovery.

19315. (a) Nothing in this chapter shall be interpreted to supersede or limit existing local authority for law enforcement activity, enforcement of local zoning requirements or local ordinances, or enforcement of local permit or licensing requirements.

(b) Nothing in this chapter shall be interpreted to require the Department of Consumer Affairs to undertake local law enforcement responsibilities, enforce local zoning requirements, or enforce local licensing requirements.

(c) Nothing in this chapter shall be interpreted to supersede or limit state agencies from exercising their existing enforcement authority under the Fish and Game Code, the Water Code, the Food and Agricultural Code, or the Health and Safety Code.

19316. (a) Pursuant to Section 7 of Article XI of the California Constitution, a city, county, or city and county may adopt ordinances that establish additional standards, requirements, and regulations for local licenses and permits for commercial cannabis activity. Any standards, requirements, and regulations regarding health and safety, testing, security, and worker protections established by the state shall be the minimum standards for all licensees statewide.

(b) For facilities issued a state license that are located within the incorporated area of a city, the city shall have full power and authority to enforce this chapter and the regulations promulgated by the bureau or any licensing authority, if delegated by the state. Notwithstanding Sections 101375, 101400, and 101405 of the Health and Safety Code or any contract entered into pursuant thereto, or any other law, the city shall further assume complete responsibility for any regulatory function relating to those licensees within the city limits that would otherwise be performed by the county or any county officer or employee, including a county health officer, without liability, cost, or expense to the county.

(c) Nothing in this chapter, or any regulations promulgated thereunder, shall be deemed to limit the authority or remedies of a city, county, or city and county under any provision of law, including, but not limited to, Section 7 of Article XI of the California Constitution.

19317. (a) The actions of a licensee, its employees, and its agents that are (1) permitted pursuant to both a state license and a license or permit issued by the local jurisdiction following the requirements of the applicable local ordinances, and (2) conducted in accordance with the requirements of this chapter and regulations adopted pursuant to this chapter, are not unlawful under state law and shall not be an offense subject to arrest, prosecution, or other sanction under state law, or be subject to a civil fine or be a basis for seizure or forfeiture of assets under state law.

(b) The actions of a person who, in good faith, allows his or her property to be used by a licensee, its employees, and its agents, as permitted pursuant to both a state license and a local license or permit following the requirements of the applicable local ordinances, are not unlawful under state law and shall not be an offense subject to arrest, prosecution, or other sanction under state law, or be subject to a civil fine or be a basis for seizure or forfeiture of assets under state law.

19318. (a) A person engaging in commercial cannabis activity without a license required by this chapter shall be subject to civil penalties of up to twice the amount of the license fee for each violation, and the court may order the destruction of medical cannabis associated with that violation in accordance with Section 11479 of the Health and Safety Code. Each day of operation shall constitute a separate violation of this section. All civil penalties imposed and collected pursuant to this section by a licensing authority shall be deposited into the Medical Cannabis Fines and Penalties Account established pursuant to Section 19351.

(b) If an action for civil penalties is brought against a licensee pursuant to this chapter by the Attorney General on behalf of the people, the penalty collected shall be deposited into the Medical Cannabis Fines and Penalties Account established pursuant to Section 19351. If the action is brought by a district attorney or county counsel, the penalty collected shall be paid to the treasurer of the county in which the judgment was entered. If the action is brought by a city attorney or city prosecutor, the penalty collected shall be paid to the treasurer of the city or city and county in which the judgment was entered. If the action is brought by a city attorney and is adjudicated in a superior court located in the unincorporated area or another city in the same county, the penalty shall be paid one-half to the treasurer of the city in which the complaining attorney has jurisdiction and one-half to the treasurer of the county in which the judgment is entered.

(c) Notwithstanding subdivision (a), criminal penalties shall continue to apply to an unlicensed person engaging in commercial cannabis activity in violation of this chapter, including, but not limited to, those individuals covered under Section 11362.7 of the Health and Safety Code.

19319. (a) A qualified patient, as defined in Section 11362.7 of the Health and Safety Code, who cultivates, possesses, stores, manufactures, or transports cannabis exclusively for his or her personal medical use but who does not provide, donate, sell, or distribute cannabis to any other person is not thereby engaged in commercial cannabis activity and is therefore exempt from the licensure requirements of this chapter.

(b) A primary caregiver who cultivates, possesses, stores, manufactures, transports, donates, or provides cannabis exclusively for the personal medical purposes of no more than five specified qualified patients

for whom he or she is the primary caregiver within the meaning of Section 11362.7 of the Health and Safety Code, but who does not receive remuneration for these activities except for compensation in full compliance with subdivision (c) of Section 11362.765 of the Health and Safety Code, is exempt from the licensure requirements of this chapter.

Article 4. Licensing

19320. (a) Licensing authorities administering this chapter may issue state licenses only to qualified applicants engaging in commercial cannabis activity pursuant to this chapter. Upon the date of implementation of regulations by the licensing authority, no person shall engage in commercial cannabis activity without possessing both a state license and a local permit, license, or other authorization. A licensee shall not commence activity under the authority of a state license until the applicant has obtained, in addition to the state license, a license or permit from the local jurisdiction in which he or she proposes to operate, following the requirements of the applicable local ordinance.

(b) Revocation of a local license, permit, or other authorization shall terminate the ability of a medical cannabis business to operate within that local jurisdiction until the local jurisdiction reinstates or reissues the local license, permit, or other required authorization. Local authorities shall notify the bureau upon revocation of a local license. The bureau shall inform relevant licensing authorities.

(c) Revocation of a state license shall terminate the ability of a medical cannabis licensee to operate within California until the licensing authority reinstates or reissues the state license. Each licensee shall obtain a separate license for each location where it engages in commercial medical cannabis activity. However, transporters only need to obtain licenses for each physical location where the licensee conducts business while not in transport, or any equipment that is not currently transporting medical cannabis or medical cannabis products, permanently resides.

(d) In addition to the provisions of this chapter, local jurisdictions retain the power to assess fees and taxes, as applicable, on facilities that are licensed pursuant to this chapter and the business activities of those licensees.

(e) Nothing in this chapter shall be construed to supersede or limit state agencies, including the State Water Resources Control Board and Department of Fish and Wildlife, from establishing fees to support their medical cannabis regulatory programs.

19321. (a) The Department of Consumer Affairs, the Department of Food and Agriculture, and the State Department of Public Health shall promulgate regulations for implementation of their respective responsibilities in the administration of this chapter.

(b) A license issued pursuant to this section shall be valid for 12 months from the date of issuance. The license shall be renewed annually. Each licensing authority shall establish procedures for the renewal of a license.

(c) Notwithstanding subdivision (a) of Section 19320, a facility or entity that is operating in compliance with local zoning ordinances and other state and local requirements on or before January 1, 2018, may continue its operations until its application for licensure is approved or denied pursuant to this chapter. In issuing licenses, the licensing authority shall prioritize any facility or entity that can demonstrate to the authority's satisfaction that it was in operation and in good standing with the local jurisdiction

by January 1, 2016.

(d) Issuance of a state license or a determination of compliance with local law by the licensing authority shall in no way limit the ability of the City of Los Angeles to prosecute any person or entity for a violation of, or otherwise enforce, Proposition D, approved by the voters of the City of Los Angeles on the May 21, 2013, ballot for the city, or the city's zoning laws. Nor may issuance of a license or determination of compliance with local law by the licensing authority be deemed to establish, or be relied upon, in determining satisfaction with the immunity requirements of Proposition D or local zoning law, in court or in any other context or forum.

19322. (a) A person or entity shall not submit an application for a state license issued by the department pursuant to this chapter unless that person or entity has received a license, permit, or authorization by a local jurisdiction. An applicant for any type of state license issued pursuant to this chapter shall do all of the following:

- (1) Electronically submit to the Department of Justice fingerprint images and related information required by the Department of Justice for the purpose of obtaining information as to the existence and content of a record of state or federal convictions and arrests, or federal convictions and arrests for which the Department of Justice establishes that the person is free on bail or on his or her own recognizance, pending trial or appeal.
 - (A) The Department of Justice shall provide a response to the licensing authority pursuant to paragraph (1) of subdivision (p) of Section 11105 of the Penal Code.
 - (B) The licensing authority shall request from the Department of Justice subsequent notification service, as provided pursuant to Section 11105.2 of the Penal Code, for applicants.
 - (C) The Department of Justice shall charge the applicant a fee sufficient to cover the reasonable cost of processing the requests described in this paragraph.
- (2) Provide documentation issued by the local jurisdiction in which the proposed business is operating certifying that the applicant is or will be in compliance with all local ordinances and regulations.
- (3) Provide evidence of the legal right to occupy and use the proposed location. For an applicant seeking a cultivator, distributor, manufacturing, or dispensary license, provide a statement from the owner of real property or their agent where the cultivation, distribution, manufacturing, or dispensing commercial medical cannabis activities will occur, as proof to demonstrate the landowner has acknowledged and consented to permit cultivation, distribution, manufacturing, or dispensary activities to be conducted on the property by the tenant applicant.
- (4) If the application is for a cultivator or a dispensary, provide evidence that the proposed location is located beyond at least a 600-foot radius from a school, as required by Section 11362.768 of the Health and Safety Code.
- (5) Provide a statement, signed by the applicant under penalty of perjury, that the information provided is complete, true, and accurate.
- (6)
 - (A) For an applicant with 20 or more employees, provide a statement that the applicant will enter into, or demonstrate that it has already entered into, and abide by the terms of a labor peace agreement.
 - (B) For the purposes of this paragraph, "employee" does not include a supervisor.
 - (C) For purposes of this paragraph, "supervisor" means an individual having authority, in the interest of the licensee, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them or to adjust their grievances, or effectively to recommend such action, if, in connection with the foregoing, the exercise of that authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

- (7) Provide the applicant's seller's permit number issued pursuant to Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code or indicate that the applicant is currently applying for a seller's permit.
- (8) Provide any other information required by the licensing authority.
- (9) For an applicant seeking a cultivation license, provide a statement declaring the applicant is an "agricultural employer," as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 (commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law.
- (10) For an applicant seeking licensure as a testing laboratory, register with the State Department of Public Health and provide any information required by the State Department of Public Health.
- (11) Pay all applicable fees required for licensure by the licensing authority.

(b) For applicants seeking licensure to cultivate, distribute, or manufacture medical cannabis, the application shall also include a detailed description of the applicant's operating procedures for all of the following, as required by the licensing authority:

- (1) Cultivation.
- (2) Extraction and infusion methods.
- (3) The transportation process.
- (4) Inventory procedures.
- (5) Quality control procedures.

19323. (a) The licensing authority shall deny an application if either the applicant or the premises for which a state license is applied do not qualify for licensure under this chapter.

(b) The licensing authority may deny the application for licensure or renewal of a state license if any of the following conditions apply:

- (1) Failure to comply with the provisions of this chapter or any rule or regulation adopted pursuant to this chapter, including but not limited to, any requirement imposed to protect natural resources, instream flow, and water quality pursuant to subdivision (a) of Section 19332.
- (2) Conduct that constitutes grounds for denial of licensure pursuant to Chapter 2 (commencing with Section 480) of Division 1.5.
- (3) A local agency has notified the licensing authority that a licensee or applicant within its jurisdiction is in violation of state rules and regulation relating to commercial cannabis activities, and the licensing authority, through an investigation, has determined that the violation is grounds for termination or revocation of the license. The licensing authority shall have the authority to collect reasonable costs, as determined by the licensing authority, for investigation from the licensee or applicant.
- (4) The applicant has failed to provide information required by the licensing authority.
- (5) The applicant or licensee has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the licensing authority determines that the applicant or licensee is otherwise suitable to be issued a license and granting the license would not compromise public safety, the licensing authority shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant, and shall evaluate the suitability of the applicant or licensee to be issued a license based on the evidence found through the review. In determining which offenses are substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, the licensing authority shall include, but not be limited to, the following:
 - (A) A felony conviction for the illegal possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance.

- (B) A violent felony conviction, as specified in subdivision (c) of Section 667.5 of the Penal Code.
- (C) A serious felony conviction, as specified in subdivision (c) of Section 1192.7 of the Penal Code.
- (D) A felony conviction involving fraud, deceit, or embezzlement.
- (6) The applicant, or any of its officers, directors, or owners, is a licensed physician making patient recommendations for medical cannabis pursuant to Section 11362.7 of the Health and Safety Code.
- (7) The applicant or any of its officers, directors, or owners has been subject to fines or penalties for cultivation or production of a controlled substance on public or private lands pursuant to Section 12025 or 12025.1 of the Fish and Game Code.
- (8) The applicant, or any of its officers, directors, or owners, has been sanctioned by a licensing authority or a city, county, or city and county for unlicensed commercial medical cannabis activities or has had a license revoked under this chapter in the three years immediately preceding the date the application is filed with the licensing authority.
- (9) Failure to obtain and maintain a valid seller's permit required pursuant to Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code.

19324. Upon the denial of any application for a license, the licensing authority shall notify the applicant in writing. Within 30 days of service of the notice, the applicant may file a written petition for a license with the licensing authority. Upon receipt of a timely filed petition, the licensing authority shall set the petition for hearing. The hearing shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the director of each licensing authority shall have all the powers granted therein.

19325. An applicant shall not be denied a state license if the denial is based solely on any of the following:

- (a) A conviction or act that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made for which the applicant or licensee has obtained a certificate of rehabilitation pursuant to Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code.
- (b) A conviction that was subsequently dismissed pursuant to Section 1203.4, 1203.4a, or 1203.41 of the Penal Code.

Article 5. Medical Marijuana Regulation

19326. (a) A person other than a licensed transporter shall not transport medical cannabis or medical cannabis products from one licensee to another licensee, unless otherwise specified in this chapter.

(b) All licensees holding cultivation or manufacturing licenses shall send all medical cannabis and medical cannabis products cultivated or manufactured to a distributor, as defined in Section 19300.5, for quality assurance and inspection by the Type 11 licensee and for a batch testing by a Type 8 licensee prior to distribution to a dispensary. Those licensees holding a Type 10A license in addition to a cultivation license or a manufacturing license shall send all medical cannabis and medical cannabis products to a Type 11 licensee for presale inspection and for a batch testing by a Type 8 licensee prior to dispensing any product. The licensing authority shall fine a licensee who violates this subdivision in an amount determined by the licensing authority to be reasonable.

(c) (1) Upon receipt of medical cannabis or medical cannabis products by a holder of a cultivation or manufacturing license, the Type 11 licensee shall first inspect the product to ensure the identity and quantity of the product and then ensure a random sample of the medical cannabis or medical cannabis

product is tested by a Type 8 licensee prior to distributing the batch of medical cannabis or medical cannabis products.

(2) Upon issuance of a certificate of analysis by the Type 8 licensee that the product is fit for manufacturing or retail, all medical cannabis and medical cannabis products shall undergo a quality assurance review by the Type 11 licensee prior to distribution to ensure the quantity and content of the medical cannabis or medical cannabis product, and for tracking and taxation purposes by the state. Licensed cultivators and manufacturers shall package or seal all medical cannabis and medical cannabis products in tamper-evident packaging and use a unique identifier, as prescribed by the Department of Food and Agriculture, for the purpose of identifying and tracking medical cannabis or medical cannabis products. Medical cannabis and medical cannabis products shall be labeled as required by Section 19347. All packaging and sealing shall be completed prior to medical cannabis or medical cannabis products being transported or delivered to a licensee, qualified patient, or caregiver.

(3) This section does not limit the ability of licensed cultivators, manufacturers, and dispensaries to directly enter into contracts with one another indicating the price and quantity of medical cannabis or medical cannabis products to be distributed. However, a Type 11 licensee responsible for executing the contract is authorized to collect a fee for the services rendered, including, but not limited to, costs incurred by a Type 8 licensee, as well as applicable state or local taxes and fees.

(d) Medical cannabis and medical cannabis products shall be tested by a registered testing laboratory, prior to retail sale or dispensing, as follows:

(1) Medical cannabis from dried flower shall, at a minimum, be tested for concentration, pesticides, mold, and other contaminants.

(2) Medical cannabis extracts shall, at a minimum, be tested for concentration and purity of the product.

(3) This chapter shall not prohibit a licensee from performing on-site testing for the purposes of quality assurance of the product in conjunction with reasonable business operations. On-site testing by the licensee shall not be certified by the State Department of Public Health.

(e) All commercial cannabis activity shall be conducted between licensees, when these are available.

19327. (a) A licensee shall keep accurate records of commercial cannabis activity.

(b) All records related to commercial cannabis activity as defined by the licensing authorities shall be maintained for a minimum of seven years.

(c) The bureau may examine the books and records of a licensee and inspect the premises of a licensee as the licensing authority or a state or local agency deems necessary to perform its duties under this chapter. All inspections shall be conducted during standard business hours of the licensed facility or at any other reasonable time.

(d) Licensees shall keep records identified by the licensing authorities on the premises of the location licensed. The licensing authorities may make any examination of the records of any licensee. Licensees shall also provide and deliver copies of documents to the licensing agency upon request.

(e) A licensee or its agent, or employee, that refuses, impedes, obstructs, or interferes with an inspection of the premises or records of the licensee pursuant to this section has engaged in a violation of this chapter.

(f) If a licensee or an employee of a licensee fails to maintain or provide the records required pursuant to this section, the licensee shall be subject to a citation and fine of thirty thousand dollars (\$30,000) per individual violation.

19328. (a) A licensee may only hold a state license in up to two separate license categories, as follows:

(1) Type 1, 1A, 1B, 2, 2A, or 2B licensees may also hold either a Type 6 or 7 state license.

(2) Type 6 or 7 licensees, or a combination thereof, may also hold either a Type 1, 1A, 1B, 2, 2A, or 2B state license.

(3) Type 6 or 7 licensees, or a combination thereof, may also hold a Type 10A state license.

(4) Type 10A licensees may also hold either a Type 6 or 7 state license, or a combination thereof.

(5) Type 1, 1A, 1B, 2, 2A, or 2B licensees, or a combination thereof, may also hold a Type 10A state license.

(6) Type 10A licensees may apply for Type 1, 1A, 1B, 2, 2A, or 2B state license, or a combination thereof.

(7) Type 11 licensees shall apply for a Type 12 state license, but shall not apply for any other type of state license.

(8) Type 12 licensees may apply for a Type 11 state license.

(9) A Type 10A licensee may apply for a Type 6 or 7 state license and hold a 1, 1A, 1B, 2, 2A, 2B, 3, 3A, 3B, 4 or combination thereof if, under the 1, 1A, 1B, 2, 2A, 2B, 3, 3A, 3B, 4 or combination of licenses thereof, no more than four acres of total canopy size of cultivation by the licensee is occurring throughout the state during the period that the respective licenses are valid. All cultivation pursuant to this section shall comply with local ordinances. This paragraph shall become inoperative on January 1, 2026.

(b) Except as provided in subdivision (a), a person or entity that holds a state license is prohibited from licensure for any other activity authorized under this chapter, and is prohibited from holding an ownership interest in real property, personal property, or other assets associated with or used in any other license category.

(c) (1) In a jurisdiction that adopted a local ordinance, prior to July 1, 2015, allowing or requiring qualified businesses to cultivate, manufacture, and dispense medical cannabis or medical cannabis products, with all commercial cannabis activity being conducted by a single qualified business, upon licensure that business shall not be subject to subdivision (a) if it meets all of the following conditions:

(A) The business was cultivating, manufacturing, and dispensing medical cannabis or medical cannabis products on July 1, 2015, and has continuously done so since that date.

(B) The business has been in full compliance with all applicable local ordinances at all times prior to licensure.

(C) The business is registered with the State Board of Equalization.

(2) A business licensed pursuant to paragraph (1) is not required to conduct all cultivation or manufacturing within the bounds of a local jurisdiction, but all cultivation and manufacturing shall have commenced prior to July 1, 2015, and have been in full compliance with applicable local ordinances.

(d) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

19329. A licensee shall not also be licensed as a retailer of alcoholic beverages pursuant to Division 9 (commencing with Section 23000).

19330. This chapter and Article 2 (commencing with Section 11357) and Article 2.5 (commencing with Section 11362.7) of Chapter 6 of Division 10 of the Health and Safety Code shall not interfere with an

employer's rights and obligations to maintain a drug and alcohol free workplace or require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growth of cannabis in the workplace or affect the ability of employers to have policies prohibiting the use of cannabis by employees and prospective employees, or prevent employers from complying with state or federal law.

Article 6. Licensed Cultivation Sites

19331. The Legislature finds and declares all of the following:

- (a) The United States Environmental Protection Agency has not established appropriate pesticide tolerances for, or permitted the registration and lawful use of, pesticides on cannabis crops intended for human consumption pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).
- (b) The use of pesticides is not adequately regulated due to the omissions in federal law, and cannabis cultivated in California for California patients can and often does contain pesticide residues.
- (c) Lawful California medical cannabis growers and caregivers urge the Department of Pesticide Regulation to provide guidance, in absence of federal guidance, on whether the pesticides currently used at most cannabis cultivation sites are actually safe for use on cannabis intended for human consumption.

19332. (a) The Department of Food and Agriculture shall promulgate regulations governing the licensing of indoor and outdoor cultivation sites.

(b) The Department of Pesticide Regulation, in consultation with the Department of Food and Agriculture, shall develop standards for the use of pesticides in cultivation, and maximum tolerances for pesticides and other foreign object residue in harvested cannabis.

(c) The State Department of Public Health shall develop standards for the production and labeling of all edible medical cannabis products.

(d) The Department of Food and Agriculture, in consultation with the Department of Fish and Wildlife and the State Water Resources Control Board, shall ensure that individual and cumulative effects of water diversion and discharge associated with cultivation do not affect the instream flows needed for fish spawning, migration, and rearing, and the flows needed to maintain natural flow variability.

(e) The Department of Food and Agriculture shall have the authority necessary for the implementation of the regulations it adopts pursuant to this chapter. The regulations shall do all of the following:

- (1) Provide that weighing or measuring devices used in connection with the sale or distribution of medical cannabis are required to meet standards equivalent to Division 5 (commencing with Section 12001).
- (2) Require that cannabis cultivation by licensees is conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, agricultural discharges, and similar matters. Nothing in this chapter, and no regulation adopted by the department, shall be construed to supersede or limit the authority of the State Water Resources Control Board, regional water quality control boards, or the Department of Fish and Wildlife to implement and enforce their statutory obligations or to adopt regulations to protect water quality, water supply, and natural resources.

(3) Establish procedures for the issuance and revocation of unique identifiers for activities associated with a cannabis cultivation license, pursuant to Article 8 (commencing with Section 19337). All cannabis shall be labeled with the unique identifier issued by the Department of Food and Agriculture.

(4) Prescribe standards, in consultation with the bureau, for the reporting of information as necessary related to unique identifiers, pursuant to Article 8 (commencing with Section 19337).

(f) The Department of Pesticide Regulation, in consultation with the State Water Resources Control Board, shall promulgate regulations that require that the application of pesticides or other pest control in connection with the indoor or outdoor cultivation of medical cannabis meets standards equivalent to Division 6 (commencing with Section 11401) of the Food and Agricultural Code and its implementing regulations.

(g) State cultivator license types issued by the Department of Food and Agriculture include:

(1) Type 1, or "specialty outdoor," for outdoor cultivation using no artificial lighting of less than or equal to 5,000 square feet of total canopy size on one premises, or up to 50 mature plants on noncontiguous plots.

(2) Type 1A, or "specialty indoor," for indoor cultivation using exclusively artificial lighting of less than or equal to 5,000 square feet of total canopy size on one premises.

(3) Type 1B, or "specialty mixed-light," for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, of less than or equal to 5,000 square feet of total canopy size on one premises.

(4) Type 2, or "small outdoor," for outdoor cultivation using no artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.

(5) Type 2A, or "small indoor," for indoor cultivation using exclusively artificial lighting between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.

(6) Type 2B, or "small mixed-light," for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 5,001 and 10,000 square feet, inclusive, of total canopy size on one premises.

(7) Type 3, or "outdoor," for outdoor cultivation using no artificial lighting from 10,001 square feet to one acre, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.

(8) Type 3A, or "indoor," for indoor cultivation using exclusively artificial lighting between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.

(9) Type 3B, or "mixed-light," for cultivation using a combination of natural and supplemental artificial lighting at a maximum threshold to be determined by the licensing authority, between 10,001 and 22,000 square feet, inclusive, of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.

(10) Type 4, or "nursery," for cultivation of medical cannabis solely as a nursery. Type 4 licensees may transport live plants.

19332.5. (a) Not later than January 1, 2020, the Department of Food and Agriculture in conjunction with the bureau, shall make available a certified organic designation and organic certification program for medical marijuana, if permitted under federal law and the National Organic Program (Section 6517 of the federal Organic Foods Production Act of 1990 (7 U.S.C. Sec. 6501 et seq.)), and Article 7 (commencing with Section 110810) of Chapter 5 of Part 5 of Division 104 of the Health and Safety Code.

(b) The bureau may establish appellations of origin for marijuana grown in California.

(c) It is unlawful for medical marijuana to be marketed, labeled, or sold as grown in a California county when the medical marijuana was not grown in that county.

(d) It is unlawful to use the name of a California county in the labeling, marketing, or packaging of medical marijuana products unless the product was grown in that county.

19333. An employee engaged in commercial cannabis cultivation activity shall be subject to Wage Order 4-2001 of the Industrial Welfare Commission.

Article 7. Licensed Distributors, Dispensaries, and Transporters

19334. (a) State licenses to be issued by the Department of Consumer Affairs are as follows:

(1) "Dispensary," as defined in this chapter. This license shall allow for delivery pursuant to Section 19340.

(2) "Distributor," for the distribution of medical cannabis and medical cannabis products from manufacturer to dispensary. A Type 11 licensee shall hold a Type 12, or transporter, license and register each location where product is stored for the purposes of distribution. A Type 11 licensee shall not hold a license in a cultivation, manufacturing, dispensing, or testing license category and shall not own, or have an ownership interest in, a facility licensed in those categories other than a security interest, lien, or encumbrance on property that is used by a licensee. A Type 11 licensee shall be bonded and insured at a minimum level established by the licensing authority.

(3) "Transport," for transporters of medical cannabis or medical cannabis products between licensees. A Type 12 licensee shall be bonded and insured at a minimum level established by the licensing authority.

(4) "Special dispensary status" for dispensers who have no more than three licensed dispensary facilities. This license shall allow for delivery where expressly authorized by local ordinance.

(b) The bureau shall establish minimum security requirements for the commercial transportation and delivery of medical cannabis and products.

(c) A licensed dispensary shall implement sufficient security measures to both deter and prevent unauthorized entrance into areas containing medical cannabis or medical cannabis products and theft of medical cannabis or medical cannabis products at the dispensary. These security measures shall include, but not be limited to, all of the following:

(1) Preventing individuals from remaining on the premises of the dispensary if they are not engaging in activity expressly related to the operations of the dispensary.

(2) Establishing limited access areas accessible only to authorized dispensary personnel.

(3) Storing all finished medical cannabis and medical cannabis products in a secured and locked room, safe, or vault, and in a manner as to prevent diversion, theft, and loss, except for limited amounts of cannabis used for display purposes, samples, or immediate sale.

(d) A dispensary shall notify the licensing authority and the appropriate law enforcement authorities within 24 hours after discovering any of the following:

(1) Significant discrepancies identified during inventory. The level of significance shall be determined by the bureau.

(2) Diversion, theft, loss, or any criminal activity involving the dispensary or any agent or employee of the dispensary.

- (3) The loss or unauthorized alteration of records related to cannabis, registered qualifying patients, primary caregivers, or dispensary employees or agents.
- (4) Any other breach of security.

Article 7.5. Unique Identifier and Track and Trace Program

19335. (a) The Department of Food and Agriculture, in consultation with the bureau, shall establish a track and trace program for reporting the movement of medical marijuana items throughout the distribution chain that utilizes a unique identifier pursuant to Section 11362.777 of the Health and Safety Code and secure packaging and is capable of providing information that captures, at a minimum, all of the following:

- (1) The licensee receiving the product.
- (2) The transaction date.
- (3) The cultivator from which the product originates, including the associated unique identifier, pursuant to Section 11362.777 of the Health and Safety Code.

(b) (1) The Department of Food and Agriculture shall create an electronic database containing the electronic shipping manifests which shall include, but not be limited to, the following information:

- (A) The quantity, or weight, and variety of products shipped.
- (B) The estimated times of departure and arrival.
- (C) The quantity, or weight, and variety of products received.
- (D) The actual time of departure and arrival.
- (E) A categorization of the product.
- (F) The license number and the unique identifier pursuant to Section 11362.777 of the Health and Safety Code issued by the licensing authority for all licensees involved in the shipping process, including cultivators, transporters, distributors, and dispensaries.

(2) (A) The database shall be designed to flag irregularities for all licensing authorities in this chapter to investigate. All licensing authorities pursuant to this chapter may access the database and share information related to licensees under this chapter, including social security and individual taxpayer identifications notwithstanding Section 30.

(B) The Department of Food and Agriculture shall immediately inform the bureau upon the finding of an irregularity or suspicious finding related to a licensee, applicant, or commercial cannabis activity for investigatory purposes.

(3) Licensing authorities and state and local agencies may, at any time, inspect shipments and request documentation for current inventory.

(4) The bureau shall have 24-hour access to the electronic database administered by the Department of Food and Agriculture.

(5) The Department of Food and Agriculture shall be authorized to enter into memoranda of understandings with licensing authorities for data sharing purposes, as deemed necessary by the Department of Food and Agriculture.

(6) Information received and contained in records kept by the Department of Food and Agriculture or licensing authorities for the purposes of administering this section are confidential and shall not be disclosed pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), except as necessary for authorized employees of the State of California or any city, county, or city and county to perform official duties pursuant to this chapter or a local ordinance.

(7) Upon the request of a state or local law enforcement agency, licensing authorities shall allow access to or provide information contained within the database to assist law enforcement in their duties and responsibilities pursuant to this chapter.

19336. (a) Chapter 4 (commencing with Section 55121) of Part 30 of Division 2 of the Revenue and Taxation Code shall apply with respect to the bureau's collection of the fees, civil fines, and penalties imposed pursuant to this chapter.

(b) Chapter 8 (commencing with Section 55381) of Part 30 of Division 2 of the Revenue and Taxation Code shall apply with respect to the disclosure of information under this chapter.

Article 8. Licensed Transporters

19337. (a) A licensee authorized to transport medical cannabis and medical cannabis products between licenses shall do so only as set forth in this chapter.

(b) Prior to transporting medical cannabis or medical cannabis products, a licensed transporter of medical cannabis or medical cannabis products shall do both of the following:

- (1) Complete an electronic shipping manifest as prescribed by the licensing authority. The shipping manifest must include the unique identifier, pursuant to Section 11362.777 of the Health and Safety Code, issued by the Department of Food and Agriculture for the original cannabis product.
- (2) Securely transmit the manifest to the bureau and the licensee that will receive the medical cannabis product. The bureau shall inform the Department of Food and Agriculture of information pertaining to commercial cannabis activity for the purpose of the track and trace program identified in Section 19335.

(c) During transportation, the licensed transporter shall maintain a physical copy of the shipping manifest and make it available upon request to agents of the Department of Consumer Affairs and law enforcement officers.

(d) The licensee receiving the shipment shall maintain each electronic shipping manifest and shall make it available upon request to the Department of Consumer Affairs and any law enforcement officers.

(e) Upon receipt of the transported shipment, the licensee receiving the shipment shall submit to the licensing agency a record verifying receipt of the shipment and the details of the shipment.

(f) Transporting, or arranging for or facilitating the transport of, medical cannabis or medical cannabis products in violation of this chapter is grounds for disciplinary action against the license.

19338. (a) This chapter shall not be construed to authorize or permit a licensee to transport or cause to be transported cannabis or cannabis products outside the state, unless authorized by federal law.

(b) A local jurisdiction shall not prevent transportation of medical cannabis or medical cannabis products on public roads by a licensee transporting medical cannabis or medical cannabis products in compliance with this chapter.

Article 9. Delivery

19340. (a) Deliveries, as defined in this chapter, can only be made by a dispensary and in a city, county, or city and county that does not explicitly prohibit it by local ordinance.

(b) Upon approval of the licensing authority, a licensed dispensary that delivers medical cannabis or medical cannabis products shall comply with both of the following:

(1) The city, county, or city and county in which the licensed dispensary is located, and in which each delivery is made, do not explicitly by ordinance prohibit delivery, as defined in Section 19300.5.

(2) All employees of a dispensary delivering medical cannabis or medical cannabis products shall carry a copy of the dispensary's current license authorizing those services with them during deliveries and the employee's government-issued identification, and shall present that license and identification upon request to state and local law enforcement, employees of regulatory authorities, and other state and local agencies enforcing this chapter.

(c) A county shall have the authority to impose a tax, pursuant to Article 11 (commencing with Section 19348), on each delivery transaction completed by a licensee.

(d) During delivery, the licensee shall maintain a physical copy of the delivery request and shall make it available upon request of the licensing authority and law enforcement officers. The delivery request documentation shall comply with state and federal law regarding the protection of confidential medical information.

(e) The qualified patient or primary caregiver requesting the delivery shall maintain a copy of the delivery request and shall make it available, upon request, to the licensing authority and law enforcement officers.

(f) A local jurisdiction shall not prevent carriage of medical cannabis or medical cannabis products on public roads by a licensee acting in compliance with this chapter.

Article 10. Licensed Manufacturers and Licensed Laboratories

19341. The State Department of Public Health shall promulgate regulations governing the licensing of cannabis manufacturers and testing laboratories. Licenses to be issued are as follows:

(a) "Manufacturing level 1," for manufacturing sites that produce medical cannabis products using nonvolatile solvents.

(b) "Manufacturing level 2," for manufacturing sites that produce medical cannabis products using volatile solvents. The State Department of Public Health shall limit the number of licenses of this type.

(c) "Testing," for testing of medical cannabis and medical cannabis products. Testing licensees shall have their facilities licensed according to regulations set forth by the division. A testing licensee shall not hold a license in another license category of this chapter and shall not own or have ownership interest in a facility licensed pursuant to this chapter.

19342. (a) For the purposes of testing medical cannabis or medical cannabis products, licensees shall use a licensed testing laboratory that has adopted a standard operating procedure using methods consistent

with general requirements for the competence of testing and calibration activities, including sampling, using standard methods established by the International Organization for Standardization, specifically ISO/IEC 17020 and ISO/IEC 17025 to test medical cannabis and medical cannabis products that are approved by an accrediting body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement.

(b) An agent of a licensed testing laboratory shall obtain samples according to a statistically valid sampling method for each lot.

(c) A licensed testing laboratory shall analyze samples according to either of the following:

- (1) The most current version of the cannabis inflorescence monograph published by the American Herbal Pharmacopoeia.
- (2) Scientifically valid methodology that is demonstrably equal or superior to paragraph (1), in the opinion of the accrediting body.

(d) If a test result falls outside the specifications authorized by law or regulation, the licensed testing laboratory shall follow a standard operating procedure to confirm or refute the original result.

(e) A licensed testing laboratory shall destroy the remains of the sample of medical cannabis or medical cannabis product upon completion of the analysis.

19343. A licensed testing laboratory shall not handle, test, or analyze medical cannabis or medical cannabis products unless the licensed testing laboratory meets all of the following:

- (a) Is registered by the State Department of Public Health.
- (b) Is independent from all other persons and entities involved in the medical cannabis industry.
- (c) Follows the methodologies, ranges, and parameters that are contained in the scope of the accreditation for testing medical cannabis or medical cannabis products. The testing lab shall also comply with any other requirements specified by the State Department of Public Health.
- (d) Notifies the State Department of Public Health within one business day after the receipt of notice of any kind that its accreditation has been denied, suspended, or revoked.
- (e) Has established standard operating procedures that provide for adequate chain of custody controls for samples transferred to the licensed testing laboratory for testing.

19344. (a) A licensed testing laboratory shall issue a certificate of analysis for each lot, with supporting data, to report both of the following:

(1) Whether the chemical profile of the lot conforms to the specifications of the lot for compounds, including, but not limited to, all of the following:

- (A) Tetrahydrocannabinol (THC).
- (B) Tetrahydrocannabinolic Acid (THCA).
- (C) Cannabidiol (CBD).
- (D) Cannabidiolic Acid (CBDA).
- (E) The terpenes described in the most current version of the cannabis inflorescence monograph published by the American Herbal Pharmacopoeia.
- (F) Cannabigerol (CBG).
- (G) Cannabinol (CBN).
- (H) Any other compounds required by the State Department of Public Health.

(2) That the presence of contaminants does not exceed the levels that are the lesser of either the most current version of the American Herbal Pharmacopoeia monograph or the State Department of Public Health. For purposes of this paragraph, contaminants includes, but is not limited to, all of the following:

- (A) Residual solvent or processing chemicals.
- (B) Foreign material, including, but not limited to, hair, insects, or similar or related adulterant.
- (C) Microbiological impurity, including total aerobic microbial count, total yeast mold count, *P. aeruginosa*, *aspergillus* spp., *s. aureus*, aflatoxin B1, B2, G1, or G2, or ochratoxin A.
- (D) Whether the batch is within specification for odor and appearance.

(b) Residual levels of volatile organic compounds shall be below the lesser of either the specifications set by the United States Pharmacopeia (U.S.P. Chapter 467) or those set by the State Department of Public Health.

19345. (a) Except as provided in this chapter, a licensed testing laboratory shall not acquire or receive medical cannabis or medical cannabis products except from a licensed facility in accordance with this chapter, and shall not distribute, sell, deliver, transfer, transport, or dispense medical cannabis or medical cannabis products, from which the medical cannabis or medical cannabis products were acquired or received. All transfer or transportation shall be performed pursuant to a specified chain-of-custody protocol.

(b) A licensed testing laboratory may receive and test samples of medical cannabis or medical cannabis products from a qualified patient or primary caregiver only if he or she presents his or her valid recommendation for cannabis for medical purposes from a physician. A licensed testing laboratory shall not certify samples from a qualified patient or caregiver for resale or transfer to another party or licensee. All tests performed by a licensed testing laboratory for a qualified patient or caregiver shall be recorded with the name of the qualified patient or caregiver and the amount of medical cannabis or medical cannabis product received.

(c) The State Department of Public Health shall develop procedures to ensure that testing of cannabis occurs prior to delivery to dispensaries or any other business, specify how often licensees shall test cannabis and that the cost of testing shall be borne by the licensed cultivators, and require destruction of harvested batches whose testing samples indicate noncompliance with health and safety standards promulgated by the State Department of Public Health, unless remedial measures can bring the cannabis into compliance with quality assurance standards as promulgated by the State Department of Public Health.

(d) The State Department of Public Health shall establish a licensing fee, and laboratories shall pay a fee to be licensed. Licensing fees shall not exceed the reasonable regulatory cost of the licensing activities.

19347. (a) Prior to delivery or sale at a dispensary, medical cannabis products shall be labeled and in a tamper-evident package. Labels and packages of medical cannabis products shall meet the following requirements:

- (1) Medical cannabis packages and labels shall not be made to be attractive to children.
- (2) All medical cannabis product labels shall include the following information, prominently displayed and in a clear and legible font:
 - (A) Manufacture date and source.
 - (B) The statement "SCHEDULE I CONTROLLED SUBSTANCE."
 - (C) The statement "KEEP OUT OF REACH OF CHILDREN AND ANIMALS" in bold print.

- (D) The statement "FOR MEDICAL USE ONLY."
 - (E) The statement "THE INTOXICATING EFFECTS OF THIS PRODUCT MAY BE DELAYED BY UP TO TWO HOURS."
 - (F) The statement "THIS PRODUCT MAY IMPAIR THE ABILITY TO DRIVE OR OPERATE MACHINERY. PLEASE USE EXTREME CAUTION."
 - (G) For packages containing only dried flower, the net weight of medical cannabis in the package.
 - (H) A warning if nuts or other known allergens are used.
 - (I) List of pharmacologically active ingredients, including, but not limited to, tetrahydrocannabinol (THC), cannabidiol (CBD), and other cannabinoid content, the THC and other cannabinoid amount in milligrams per serving, servings per package, and the THC and other cannabinoid amount in milligrams for the package total.
 - (J) Clear indication, in bold type, that the product contains medical cannabis.
 - (K) Identification of the source and date of cultivation and manufacture.
 - (L) Any other requirement set by the bureau.
 - (M) Information associated with the unique identifier issued by the Department of Food and Agriculture pursuant to Section 11362.777 of the Health and Safety Code.
- (b) Only generic food names may be used to describe edible medical cannabis products.

Article 11. Taxation

- 19348.** (a) (1) A county may impose a tax on the privilege of cultivating, dispensing, producing, processing, preparing, storing, providing, donating, selling, or distributing medical cannabis or medical cannabis products by a licensee operating pursuant to this chapter.
- (2) The board of supervisors shall specify in the ordinance proposing the tax the activities subject to the tax, the applicable rate or rates, the method of apportionment, if necessary, and the manner of collection of the tax. The tax may be imposed for general governmental purposes or for purposes specified in the ordinance by the board of supervisors.
- (3) In addition to any other method of collection authorized by law, the board of supervisors may provide for the collection of the tax imposed pursuant to this section in the same manner, and subject to the same penalties and priority of lien, as other charges and taxes fixed and collected by the county. A tax imposed pursuant to this section is a tax and not a fee or special assessment. The board of supervisors shall specify whether the tax applies throughout the entire county or within the unincorporated area of the county.
- 4) The tax authorized by this section may be imposed upon any or all of the activities set forth in paragraph (1), as specified in the ordinance, regardless of whether the activity is undertaken individually, collectively, or cooperatively, and regardless of whether the activity is for compensation or gratuitous, as determined by the board of supervisors.
- (b) A tax imposed pursuant to this section shall be subject to applicable voter approval requirements imposed by law.
- (c) This section is declaratory of existing law and does not limit or prohibit the levy or collection of any other fee, charge, or tax, or a license or service fee or charge upon, or related to, the activities set forth in subdivision (a) as otherwise provided by law. This section shall not be construed as a limitation upon the taxing authority of a county as provided by law.

(d) This section shall not be construed to authorize a county to impose a sales or use tax in addition to the sales and use tax imposed under an ordinance conforming to the provisions of Sections 7202 and 7203 of the Revenue and Taxation Code.

Article 13. Funding

19350. Each licensing authority shall establish a scale of application, licensing, and renewal fees, based upon the cost of enforcing this chapter, as follows:

(a) Each licensing authority shall charge each licensee a licensure and renewal fee, as applicable. The licensure and renewal fee shall be calculated to cover the costs of administering this chapter. The licensure fee may vary depending upon the varying costs associated with administering the various regulatory requirements of this chapter as they relate to the nature and scope of the different licensure activities, including, but not limited to, the track and trace program required pursuant to Section 19335, but shall not exceed the reasonable regulatory costs to the licensing authority.

(b) The total fees assessed pursuant to this chapter shall be set at an amount that will fairly and proportionately generate sufficient total revenue to fully cover the total costs of administering this chapter.

(c) All license fees shall be set on a scaled basis by the licensing authority, dependent on the size of the business.

(d) The licensing authority shall deposit all fees collected in a fee account specific to that licensing authority, to be established in the Medical Marijuana Regulation and Safety Act Fund. Moneys in the licensing authority fee accounts shall be used, upon appropriation of the Legislature, by the designated licensing authority for the administration of this chapter.

19351. (a) The Medical Marijuana Regulation and Safety Act Fund is hereby established within the State Treasury. Moneys in the fund shall be available upon appropriation by the Legislature. Notwithstanding Section 16305.7 of the Government Code, the fund shall include any interest and dividends earned on the moneys in the fund.

(b) (1) Funds for the establishment and support of the regulatory activities pursuant to this chapter shall be advanced as a General Fund or special fund loan, and shall be repaid by the initial proceeds from fees collected pursuant to this chapter or any rule or regulation adopted pursuant to this chapter, by January 1, 2022. Should the initial proceeds from fees not be sufficient to repay the loan, moneys from the Medical Cannabis Fines and Penalties Account shall be made available to the bureau, by appropriation of the Legislature, to repay the loan.

(2) Funds advanced pursuant to this subdivision shall be appropriated to the bureau, which shall distribute the moneys to the appropriate licensing authorities, as necessary to implement the provisions of this chapter.

(3) The Director of Finance may provide an initial operating loan from the General Fund to the Medical Marijuana Regulation and Safety Act Fund that does not exceed ten million dollars (\$10,000,000).

(c) Except as otherwise provided, all moneys collected pursuant to this chapter as a result of fines or penalties imposed under this chapter shall be deposited directly into the Medical Marijuana Fines and Penalties Account, which is hereby established within the fund, and shall be available, upon

appropriation by the Legislature to the bureau, for the purposes of funding the enforcement grant program pursuant to subdivision (d).

(d) (1) The bureau shall establish a grant program to allocate moneys from the Medical Cannabis Fines and Penalties Account to state and local entities for the following purposes:

(A) To assist with medical cannabis regulation and the enforcement of this chapter and other state and local laws applicable to cannabis activities.

(B) For allocation to state and local agencies and law enforcement to remedy the environmental impacts of cannabis cultivation.

(2) The costs of the grant program under this subdivision shall, upon appropriation by the Legislature, be paid for with moneys in the Medical Cannabis Fines and Penalties Account.

(3) The grant program established by this subdivision shall only be implemented after the loan specified in this section is repaid.

19352. The sum of ten million dollars (\$10,000,000) is hereby appropriated from the Medical Marijuana Regulation and Safety Act Fund to the Department of Consumer Affairs to begin the activities of the Bureau of Medical Marijuana Regulation. Funds appropriated pursuant to this section shall not include moneys received from fines or penalties.

Article 14. Reporting

19353. Beginning on March 1, 2023, and on or before March 1 of each following year, each licensing authority shall prepare and submit to the Legislature an annual report on the authority's activities and post the report on the authority's Internet Web site. The report shall include, but not be limited to, the following information for the previous fiscal year:

(a) The amount of funds allocated and spent by the licensing authority for medical cannabis licensing, enforcement, and administration.

(b) The number of state licenses issued, renewed, denied, suspended, and revoked, by state license category.

(c) The average time for processing state license applications, by state license category.

(d) The number and type of enforcement activities conducted by the licensing authorities and by local law enforcement agencies in conjunction with the licensing authorities or the bureau.

(e) The number, type, and amount of penalties, fines, and other disciplinary actions taken by the licensing authorities.

19354. The bureau shall contract with the California Marijuana Research Program, known as the Center for Medicinal Cannabis Research, authorized pursuant to Section 11362.9 of the Health and Safety Code, to develop a study that identifies the impact that cannabis has on motor skills.

Article 15. Privacy

19355. (a) Information identifying the names of patients, their medical conditions, or the names of their primary caregivers received and contained in records kept by the office or licensing authorities for the purposes of administering this chapter are confidential and shall not be disclosed pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code), except as necessary for authorized employees of the State of California or any city, county, or city and county to perform official duties pursuant to this chapter, or a local ordinance.

(b) Information identifying the names of patients, their medical conditions, or the names of their primary caregivers received and contained in records kept by the bureau for the purposes of administering this chapter shall be maintained in accordance with Chapter 1 (commencing with Section 123100) of Part 1 of Division 106 of the Health and Safety Code, Part 2.6 (commencing with Section 56) of Division 1 of the Civil Code, and other state and federal laws relating to confidential patient information.

(c) Nothing in this section precludes the following:

- (1) Employees of the bureau or any licensing authorities notifying state or local agencies about information submitted to the agency that the employee suspects is falsified or fraudulent.
- (2) Notifications from the bureau or any licensing authorities to state or local agencies about apparent violations of this chapter or applicable local ordinance.
- (3) Verification of requests by state or local agencies to confirm licenses and certificates issued by the regulatory authorities or other state agency.
- (4) Provision of information requested pursuant to a court order or subpoena issued by a court or an administrative agency or local governing body authorized by law to issue subpoenas.

(d) Information shall not be disclosed by any state or local agency beyond what is necessary to achieve the goals of a specific investigation, notification, or the parameters of a specific court order or subpoena.

Article 17. Penalties and Violations

19360. (a) A person engaging in cannabis activity without a license and associated unique identifiers required by this chapter shall be subject to civil penalties of up to twice the amount of the license fee for each violation, and the department, state or local authority, or court may order the destruction of medical cannabis associated with that violation. Each day of operation shall constitute a separate violation of this section. All civil penalties imposed and collected pursuant to this section shall be deposited into the Marijuana Production and Environment Mitigation Fund established pursuant to Section 31013 of the Revenue and Taxation Code.

(b) If an action for civil penalties is brought against a licensee pursuant to this chapter by the Attorney General, the penalty collected shall be deposited into the General Fund. If the action is brought by a district attorney or county counsel, the penalty collected shall be paid to the treasurer of the county in which the judgment was entered. If the action is brought by a city attorney or city prosecutor, the penalty collected shall be paid to the treasurer of the city or city and county in which the judgment was entered. If the action is brought by a city attorney and is adjudicated in a superior court located in the unincorporated area or another city in the same county, the penalty shall be paid one-half to the

treasurer of the city in which the complaining attorney has jurisdiction and one-half to the treasurer of the county in which the judgment is entered.

(c) Notwithstanding subdivision (a), criminal penalties shall continue to apply to an unlicensed person or entity engaging in cannabis activity in violation of this chapter, including, but not limited to, those individuals covered under Section 11362.7 of the Health and Safety Code.

Related California Code Sections enacted in conjunction with the MMRSA

Fish and Game Code Section 12029

12029. (a) The Legislature finds and declares all of the following:

(1) The environmental impacts associated with marijuana cultivation have increased, and unlawful water diversions for marijuana irrigation have a detrimental effect on fish and wildlife and their habitat, which are held in trust by the state for the benefit of the people of the state.

(2) The remediation of existing marijuana cultivation sites is often complex and the permitting of these sites requires greater department staff time and personnel expenditures. The potential for marijuana cultivation sites to significantly impact the state's fish and wildlife resources requires immediate action on the part of the department's lake and streambed alteration permitting staff.

(b) In order to address unlawful water diversions and other violations of the Fish and Game Code associated with marijuana cultivation, the department shall establish the watershed enforcement program to facilitate the investigation, enforcement, and prosecution of these offenses.

(c) The department, in coordination with the State Water Resources Control Board, shall establish a permanent multiagency task force to address the environmental impacts of marijuana cultivation. The multiagency task force, to the extent feasible and subject to available Resources, shall expand its enforcement efforts on a statewide level to ensure the reduction of adverse impacts of marijuana cultivation on fish and wildlife and their habitats throughout the state.

(d) In order to facilitate the remediation and permitting of marijuana cultivation sites, the department shall adopt regulations to enhance the fees on any entity subject to Section 1602 for marijuana cultivation sites that require remediation. The fee schedule established pursuant to this subdivision shall not exceed the fee limits in Section 1609.

Health and Safety Code Sections 11362.769, 11362.775 & 11362.777

11362.769. Indoor and outdoor medical marijuana cultivation shall be conducted in accordance with state and local laws related to land conversion, grading, electricity usage, water usage, water quality, woodland and riparian habitat protection, agricultural discharges, and similar matters. State agencies, including, but not limited to, the State Board of Forestry and Fire Protection, the Department of Fish and Wildlife, the State Water Resources Control Board, the California regional water quality control boards, and traditional state law enforcement agencies shall address environmental impacts of medical marijuana cultivation and shall coordinate, when appropriate, with cities and counties and their law enforcement agencies in enforcement efforts.

11362.775. [as amended] (a) Subject to subdivision (b), qualified patients, persons with valid identification cards, and the designated primary caregivers of qualified patients and persons with

identification cards, who associate within the State of California in order collectively or cooperatively to cultivate cannabis for medical purposes, shall not solely on the basis of that fact be subject to state criminal sanctions under Section 11357, 11358, 11359, 11360, 11366, 11366.5, or 11570.

(b) This section shall remain in effect only until one year after the Bureau of Medical Marijuana Regulation posts a notice on its Internet Web site that the licensing authorities have commenced issuing licenses pursuant to the Medical Marijuana Regulation and Safety Act (Chapter 3.5 (commencing with Section 19300) of Division 8 of the Business and Professions Code), and is repealed upon issuance of licenses.

11362.777. (a) The Department of Food and Agriculture shall establish a Medical Cannabis Cultivation Program to be administered by the secretary, except as specified in subdivision (c), shall administer this section as it pertains to the cultivation of medical marijuana. For purposes of this section and Chapter 3.5 (commencing with Section 19300) of the Business and Professions Code, medical cannabis is an agricultural product.

(b) (1) A person or entity shall not cultivate medical marijuana without first obtaining both of the following:

(A) A license, permit, or other entitlement, specifically permitting cultivation pursuant to these provisions, from the city, county, or city and county in which the cultivation will occur.

(B) A state license issued by the department pursuant to this section.

(2) A person or entity shall not submit an application for a state license issued by the department pursuant to this section unless that person or entity has received a license, permit, or other entitlement, specifically permitting cultivation pursuant to these provisions, from the city, county, or city and county in which the cultivation will occur.

(3) A person or entity shall not submit an application for a state license issued by the department pursuant to this section if the proposed cultivation of marijuana will violate the provisions of any local ordinance or regulation, or if medical marijuana is prohibited by the city, county, or city and county in which the cultivation is proposed to occur, either expressly or otherwise under principles of permissive zoning.

(c) (1) Except as otherwise specified in this subdivision, and without limiting any other local regulation, a city, county, or city and county, through its current or future land use regulations or ordinance, may issue or deny a permit to cultivate medical marijuana pursuant to this section. A city, county, or city and county may inspect the intended cultivation site for suitability prior to issuing a permit. After the city, county, or city and county has approved a permit, the applicant shall apply for a state medical marijuana cultivation license from the department. A locally issued cultivation permit shall only become active upon licensing by the department and receiving final local approval. A person shall not cultivate medical marijuana prior to obtaining both a permit from the city, county, or city and county and a state medical marijuana cultivation license from the department.

(2) A city, county, or city and county that issues or denies conditional licenses to cultivate medical marijuana pursuant to this section shall notify the department in a manner prescribed by the secretary.

(3) A city, county, or city and county's locally issued conditional permit requirements must be at least as stringent as the department's state licensing requirements.

(4) If a city, county, or city and county does not have land use regulations or ordinances regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under principles of permissive zoning, or chooses not to administer a conditional permit program pursuant to this section, then

commencing March 1, 2016, the division shall be the sole licensing authority for medical marijuana cultivation applicants in that city, county, or city and county.

(d) (1) The secretary may prescribe, adopt, and enforce regulations relating to the implementation, administration, and enforcement of this part, including, but not limited to, applicant requirements, collections, reporting, refunds, and appeals.

(2) The secretary may prescribe, adopt, and enforce any emergency regulations as necessary to implement this part. Any emergency regulation prescribed, adopted, or enforced pursuant to this section shall be adopted in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, and, for purposes of that chapter, including Section 11349.6 of the Government Code, the adoption of the regulation is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health and safety, and general welfare.

(3) The secretary may enter into a cooperative agreement with a county agricultural commissioner to carry out the provisions of this chapter, including, but not limited to, administration, investigations, inspections, licensing and assistance pertaining to the cultivation of medical marijuana. Compensation under the cooperative agreement shall be paid from assessments and fees collected and deposited pursuant to this chapter and shall provide reimbursement to the county agricultural commissioner for associated costs.

(e) (1) The department, in consultation with, but not limited to, the Bureau of Medical Marijuana Regulation, the State Water Resources Control Board, and the Department of Fish and Wildlife, shall implement a unique identification program for medical marijuana. In implementing the program, the department shall consider issues, including, but not limited to, water use and environmental impacts. In implementing the program, the department shall ensure that:

(A) Individual and cumulative effects of water diversion and discharge associated with cultivation do not affect the instream flows needed for fish spawning, migration, and rearing, and the flows needed to maintain natural flow variability.

(B) Cultivation will not negatively impact springs, riparian wetlands, and aquatic habitats.

(2) The department shall establish a program for the identification of permitted medical marijuana plants at a cultivation site during the cultivation period. The unique identifier shall be attached at the base of each plant. A unique identifier, such as, but not limited to, a zip tie, shall be issued for each medical marijuana plant.

(A) Unique identifiers will only be issued to those persons appropriately licensed by this section.

(B) Information associated with the assigned unique identifier and licensee shall be included in the trace and track program specified in Section 19335 of the Business and Professions Code.

(C) The department may charge a fee to cover the reasonable costs of issuing the unique identifier and monitoring, tracking, and inspecting each medical marijuana plant.

(D) The department may promulgate regulations to implement this section.

(3) The department shall take adequate steps to establish protections against fraudulent unique identifiers and limit illegal diversion of unique identifiers to unlicensed persons.

(f) (1) A city, county, or city and county that issues or denies licenses to cultivate medical marijuana pursuant to this section shall notify the department in a manner prescribed by the secretary.

(2) Unique identifiers and associated identifying information administered by a city or county shall adhere to the requirements set by the department and be the equivalent to those administered by the department.

California Medical Marijuana Regulation & Safety Act & Related Code Sections

(g) This section does not apply to a qualified patient cultivating marijuana pursuant to Section 11362.5 if the area he or she uses to cultivate marijuana does not exceed 100 square feet and he or she cultivates marijuana for his or her personal medical use and does not sell, distribute, donate, or provide marijuana to any other person or entity. This section does not apply to a primary caregiver cultivating marijuana pursuant to Section 11362.5 if the area he or she uses to cultivate marijuana does not exceed 500 square feet and he or she cultivates marijuana exclusively for the personal medical use of no more than five specified qualified patients for whom he or she is the primary caregiver within the meaning of Section 11362.7 and does not receive remuneration for these activities, except for compensation provided in full compliance with subdivision (c) of Section 11362.765. For purposes of this section, the area used to cultivate marijuana shall be measured by the aggregate area of vegetative growth of live marijuana plants on the premises. Exemption from the requirements of this section does not limit or prevent a city, county, or city and county from regulating or banning the cultivation, storage, manufacture, transport, provision, or other activity by the exempt person, or impair the enforcement of that regulation or ban.

Labor Code Section 147.5

147.5. (a) By January 1, 2017, the Division of Occupational Safety and Health shall convene an advisory committee to evaluate whether there is a need to develop industry-specific regulations related to the activities of facilities issued a license pursuant to Chapter 3.5 (commencing with Section 19300) of Division 8 of the Business and Professions Code.

(b) By July 1, 2017, the advisory committee shall present to the board its findings and recommendations for consideration by the board. By July 1, 2017, the board shall render a decision regarding the adoption of industry-specific regulations pursuant to this section.

Revenue and Taxation Code Section 31020

31020. The board, in consultation with the Department of Food and Agriculture, shall adopt a system for reporting the movement of commercial cannabis and cannabis products throughout the distribution chain. The system shall not be duplicative of the electronic database administered by the Department of Food and Agriculture specified in Section 19335 of the Business and Professions Code. The system shall also employ secure packaging and be capable of providing information to the board. This system shall capture, at a minimum, all of the following:

- (a) The amount of tax due by the designated entity.
- (b) The name, address, and license number of the designated entity that remitted the tax.
- (c) The name, address, and license number of the succeeding entity receiving the product.
- (d) The transaction date.
- (e) Any other information deemed necessary by the board for the taxation and regulation of marijuana and marijuana products.

Water Code Section 13276

13276. (a) The multiagency task force, the Department of Fish and Wildlife and State Water Resources Control Board pilot project to address the Environmental Impacts of Cannabis Cultivation, assigned to respond to the damages caused by marijuana cultivation on public and private lands in California, shall continue its enforcement efforts on a permanent basis and expand them to a statewide level to ensure the reduction of adverse impacts of throughout the state.

(b) Each regional board shall, and the State Water Resources Control Board may, address discharges of waste resulting from medical marijuana cultivation and associated activities, including by adopting a general permit, establishing waste discharge requirements, or taking action pursuant to Section 13269. In addressing these discharges, each regional board shall include conditions to address items that include, but are not limited to, all of the following:

- (1) Site development and maintenance, erosion control, and drainage features.
- (2) Stream crossing installation and maintenance.
- (3) Riparian and wetland protection and management.
- (4) Soil disposal.
- (5) Water storage and use.
- (6) Irrigation runoff.
- (7) Fertilizers and soil.
- (8) Pesticides and herbicides.
- (9) Petroleum products and other chemicals.
- (10) Cultivation-related waste.
- (11) Refuse and human waste.
- (12) Cleanup, restoration, and mitigation.

Other Amendments to the Business and Professions Code and Government Code

Business and Professions Code Section 27 amended

27. (a) Each entity specified in subdivisions (c), (d), and (e) shall provide on the Internet information regarding the status of every license issued by that entity in accordance with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code). The public information to be provided on the Internet shall include information on suspensions and revocations of licenses issued by the entity and other related enforcement action, including accusations filed pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) taken by the entity relative to persons, businesses, or facilities subject to licensure or regulation by the entity. The information may not include personal information, including home telephone number, date of birth, or social security number. Each entity shall disclose a licensee's address of record. However, each entity shall allow a licensee to provide a post office box number or other alternate address, instead of his or her home address, as the address of record. This section shall not preclude an entity from also requiring a licensee, who has provided a post office box number or other alternative mailing address as his or her address of record, to provide a physical business address or residence address only for the entity's internal administrative use and not for disclosure as the licensee's address of record or disclosure on the Internet.

(b) In providing information on the Internet, each entity specified in subdivisions (c) and (d) shall comply with the Department of Consumer Affairs' guidelines for access to public records.

(c) Each of the following entities within the Department of Consumer Affairs shall comply with the requirements of this section:

- (1) The Board for Professional Engineers, Land Surveyors, and Geologists shall disclose information on its registrants and licensees.

- (2) The Bureau of Automotive Repair shall disclose information on its licensees, including auto repair dealers, smog stations, lamp and brake stations, smog check technicians, and smog inspection certification stations.

- (3) The Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation shall disclose information on its licensees and registrants, including major appliance repair dealers, combination dealers (electronic and appliance), electronic repair dealers, service contract sellers, and service contract administrators.

- (4) The Cemetery and Funeral Bureau shall disclose information on its licensees, including cemetery brokers, cemetery salespersons, cemetery managers, crematory managers, cemetery authorities, crematories, cremated remains disposers, embalmers, funeral establishments, and funeral directors.

- (5) The Professional Fiduciaries Bureau shall disclose information on its licensees.

California Medical Marijuana Regulation & Safety Act & Related Code Sections

- (6) The Contractors' State License Board shall disclose information on its licensees and registrants in accordance with Chapter 9 (commencing with Section 7000) of Division 3. In addition to information related to licenses as specified in subdivision (a), the board shall also disclose information provided to the board by the Labor Commissioner pursuant to Section 98.9 of the Labor Code.
- (7) The Bureau for Private Postsecondary Education shall disclose information on private postsecondary institutions under its jurisdiction, including disclosure of notices to comply issued pursuant to Section 94935 of the Education Code.
- (8) The California Board of Accountancy shall disclose information on its licensees and registrants.
- (9) The California Architects Board shall disclose information on its licensees, including architects and landscape architects.
- (10) The State Athletic Commission shall disclose information on its licensees and registrants.
- (11) The State Board of Barbering and Cosmetology shall disclose information on its licensees.
- (12) The State Board of Guide Dogs for the Blind shall disclose information on its licensees and registrants.
- (13) The Acupuncture Board shall disclose information on its licensees.
- (14) The Board of Behavioral Sciences shall disclose information on its licensees, including licensed marriage and family therapists, licensed clinical social workers, licensed educational psychologists, and licensed professional clinical counselors.
- (15) The Dental Board of California shall disclose information on its licensees.
- (16) The State Board of Optometry shall disclose information regarding certificates of registration to practice optometry, statements of licensure, optometric corporation registrations, branch office licenses, and fictitious name permits of its licensees.
- (17) The Board of Psychology shall disclose information on its licensees, including psychologists, psychological assistants, and registered psychologists.
- (d) The State Board of Chiropractic Examiners shall disclose information on its licensees.
- (e) The Structural Pest Control Board shall disclose information on its licensees, including applicators, field representatives, and operators in the areas of fumigation, general pest and wood destroying pests and organisms, and wood roof cleaning and treatment.
- (f) The Bureau of Medical Marijuana Regulation shall disclose information on its licensees.
- (g) "Internet" for the purposes of this section has the meaning set forth in paragraph (6) of subdivision (f) of Section 17538.

Business and Professions Code Section 101 amended

101. The department is comprised of the following:

- (a) The Dental Board of California.
- (b) The Medical Board of California.
- (c) The State Board of Optometry.
- (d) The California State Board of Pharmacy.
- (e) The Veterinary Medical Board.
- (f) The California Board of Accountancy.
- (g) The California Architects Board.
- (h) The Bureau of Barbering and Cosmetology.
- (i) The Board for Professional Engineers and Land Surveyors.
- (j) The Contractors' State License Board.
- (k) The Bureau for Private Postsecondary Education.
- (l) The Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation.
- (m) The Board of Registered Nursing.
- (n) The Board of Behavioral Sciences.
- (o) The State Athletic Commission.
- (p) The Cemetery and Funeral Bureau.
- (q) The State Board of Guide Dogs for the Blind.
- (r) The Bureau of Security and Investigative Services.
- (s) The Court Reporters Board of California.
- (t) The Board of Vocational Nursing and Psychiatric Technicians.
- (u) The Landscape Architects Technical Committee.
- (v) The Division of Investigation.
- (w) The Bureau of Automotive Repair.
- (x) The Respiratory Care Board of California.
- (y) The Acupuncture Board.
- (z) The Board of Psychology.
- (aa) The California Board of Podiatric Medicine.
- (ab) The Physical Therapy Board of California.

California Medical Marijuana Regulation & Safety Act & Related Code Sections

- (ac) The Arbitration Review Program.
- (ad) The Physician Assistant Committee.
- (ae) The Speech-Language Pathology and Audiology Board.
- (af) The California Board of Occupational Therapy.
- (ag) The Osteopathic Medical Board of California.
- (ah) The Naturopathic Medicine Committee.
- (ai) The Dental Hygiene Committee of California.
- (aj) The Professional Fiduciaries Bureau.
- (ak) The State Board of Chiropractic Examiners.
- (al) The Bureau of Real Estate.
- (am) The Bureau of Real Estate Appraisers.
- (an) The Structural Pest Control Board.
- (ao) The Bureau of Medical Marijuana Regulation.
- (ap) Any other boards, offices, or officers subject to its jurisdiction by law.

Business and Professions Code Section 144 amended

144. (a) Notwithstanding any other provision of law, an agency designated in subdivision (b) shall require an applicant to furnish to the agency a full set of fingerprints for purposes of conducting criminal history record checks. Any agency designated in subdivision (b) may obtain and receive, at its discretion, criminal history information from the Department of Justice and the United States Federal Bureau of Investigation.

(b) Subdivision (a) applies to the following:

- (1) California Board of Accountancy.
- (2) State Athletic Commission.
- (3) Board of Behavioral Sciences.
- (4) Court Reporters Board of California.
- (5) State Board of Guide Dogs for the Blind.
- (6) California State Board of Pharmacy.
- (7) Board of Registered Nursing.
- (8) Veterinary Medical Board.
- (9) Board of Vocational Nursing and Psychiatric Technicians.
- (10) Respiratory Care Board of California.
- (11) Physical Therapy Board of California.
- (12) Physician Assistant Committee of the Medical Board of California.
- (13) Speech-Language Pathology and Audiology and Hearing Aid Dispenser Board.
- (14) Medical Board of California.
- (15) State Board of Optometry.
- (16) Acupuncture Board.
- (17) Cemetery and Funeral Bureau.
- (18) Bureau of Security and Investigative Services.
- (19) Division of Investigation.
- (20) Board of Psychology.
- (21) California Board of Occupational Therapy.
- (22) Structural Pest Control Board.
- (23) Contractors' State License Board.
- (24) Naturopathic Medicine Committee.
- (25) Professional Fiduciaries Bureau.
- (26) Board for Professional Engineers, Land Surveyors, and Geologists.
- (27) Bureau of Medical Marijuana Regulation.

(c) For purposes of paragraph (26) of subdivision (b), the term "applicant" shall be limited to an initial applicant who has never been registered or licensed by the board or to an applicant for a new licensure or registration category.

California Medical Marijuana Regulation & Safety Act & Related Code Sections

Business and Professions Code 205.1 added

205.1. Notwithstanding subdivision (a) of Section 205, the Medical Marijuana Regulation and Safety Act Fund is a special fund within the Professions and Vocations Fund, and is subject to subdivision (b) of Section 205.

Business and Professions Code Section 2220.05 amended

2220.05. (a) In order to ensure that its resources are maximized for the protection of the public, the Medical Board of California shall prioritize its investigative and prosecutorial resources to ensure that physicians and surgeons representing the greatest threat of harm are identified and disciplined expeditiously. Cases involving any of the following allegations shall be handled on a priority basis, as follows, with the highest priority being given to cases in the first paragraph:

- (1) Gross negligence, incompetence, or repeated negligent acts that involve death or serious bodily injury to one or more patients, such that the physician and surgeon represents a danger to the public.
- (2) Drug or alcohol abuse by a physician and surgeon involving death or serious bodily injury to a patient.
- (3) Repeated acts of clearly excessive prescribing, furnishing, or administering of controlled substances, or repeated acts of prescribing, dispensing, or furnishing of controlled substances without a good faith prior examination of the patient and medical reason therefor. However, in no event shall a physician and surgeon prescribing, furnishing, or administering controlled substances for intractable pain consistent with lawful prescribing, including, but not limited to, Sections 725, 2241.5, and 2241.6 of this code and Sections 11159.2 and 124961 of the Health and Safety Code, be prosecuted for excessive prescribing and prompt review of the applicability of these provisions shall be made in any complaint that may implicate these provisions.
- (4) Repeated acts of clearly excessive recommending of cannabis to patients for medical purposes, or repeated acts of recommending cannabis to patients for medical purposes without a good faith prior examination of the patient and a medical reason for the recommendation.
- (5) Sexual misconduct with one or more patients during a course of treatment or an examination.
- (6) Practicing medicine while under the influence of drugs or alcohol.

(b) The board may by regulation prioritize cases involving an allegation of conduct that is not described in subdivision (a). Those cases prioritized by regulation shall not be assigned a priority equal to or higher than the priorities established in subdivision (a).

(c) The Medical Board of California shall indicate in its annual report mandated by Section 2312 the number of temporary restraining orders, interim suspension orders, and disciplinary actions that are taken in each priority category specified in subdivisions (a) and (b).

Business and Professions Code Section 2241.5 amended

2241.5. (a) A physician and surgeon may prescribe for, or dispense or administer to, a person under his or her treatment for a medical condition dangerous drugs or prescription controlled substances for the treatment of pain or a condition causing pain, including, but not limited to, intractable pain.

(b) No physician and surgeon shall be subject to disciplinary action for prescribing, dispensing, or administering dangerous drugs or prescription controlled substances in accordance with this section.

(c) This section shall not affect the power of the board to take any action described in Section 2227 against a physician and surgeon who does any of the following:

- (1) Violates subdivision (b), (c), or (d) of Section 2234 regarding gross negligence, repeated negligent acts, or incompetence.
- (2) Violates Section 2241 regarding treatment of an addict.
- (3) Violates Section 2242 or 2525.3 regarding performing an appropriate prior examination and the existence of a medical indication for prescribing, dispensing, or furnishing dangerous drugs or recommending medical cannabis.
- (4) Violates Section 2242.1 regarding prescribing on the Internet.
- (5) Fails to keep complete and accurate records of purchases and disposals of substances listed in the California Uniform Controlled Substances Act (Division 10 (commencing with Section 11000) of the Health and Safety Code) or controlled substances scheduled in the federal Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. Sec. 801 et seq.), or pursuant to the federal Comprehensive Drug Abuse Prevention and Control Act of 1970. A physician and surgeon shall keep records of his or her purchases and disposals of these controlled substances or dangerous drugs, including the date of purchase,

California Medical Marijuana Regulation & Safety Act & Related Code Sections

the date and records of the sale or disposal of the drugs by the physician and surgeon, the name and address of the person receiving the drugs, and the reason for the disposal or the dispensing of the drugs to the person, and shall otherwise comply with all state recordkeeping requirements for controlled substances.

(6) Writes false or fictitious prescriptions for controlled substances listed in the California Uniform Controlled Substances Act or scheduled in the federal Comprehensive Drug Abuse Prevention and Control Act of 1970.

(7) Prescribes, administers, or dispenses in violation of this chapter, or in violation of Chapter 4 (commencing with Section 11150) or Chapter 5 (commencing with Section 11210) of Division 10 of the Health and Safety Code.

(d) A physician and surgeon shall exercise reasonable care in determining whether a particular patient or condition, or the complexity of a patient's treatment, including, but not limited to, a current or recent pattern of drug abuse, requires consultation with, or referral to, a more qualified specialist.

(e) Nothing in this section shall prohibit the governing body of a hospital from taking disciplinary actions against a physician and surgeon pursuant to Sections 809.05, 809.4, and 809.5.

Business and Professions Code Section 2242.1 amended

2242.1. (a) No person or entity may prescribe, dispense, or furnish, or cause to be prescribed, dispensed, or furnished, dangerous drugs or dangerous devices, as defined in Section 4022, on the Internet for delivery to any person in this state, without an appropriate prior examination and medical indication, except as authorized by Section 2242.

(b) Notwithstanding any other provision of law, a violation of this section may subject the person or entity that has committed the violation to either a fine of up to twenty-five thousand dollars (\$25,000) per occurrence pursuant to a citation issued by the board or a civil penalty of twenty-five thousand dollars (\$25,000) per occurrence.

(c) The Attorney General may bring an action to enforce this section and to collect the fines or civil penalties authorized by subdivision (b).

(d) For notifications made on and after January 1, 2002, the Franchise Tax Board, upon notification by the Attorney General or the board of a final judgment in an action brought under this section, shall subtract the amount of the fine or awarded civil penalties from any tax refunds or lottery winnings due to the person who is a defendant in the action using the offset authority under Section 12419.5 of the Government Code, as delegated by the Controller, and the processes as established by the Franchise Tax Board for this purpose. That amount shall be forwarded to the board for deposit in the Contingent Fund of the Medical Board of California.

(e) If the person or entity that is the subject of an action brought pursuant to this section is not a resident of this state, a violation of this section shall, if applicable, be reported to the person's or entity's appropriate professional licensing authority.

(f) Nothing in this section shall prohibit the board from commencing a disciplinary action against a physician and surgeon pursuant to Section 2242 or 2525.3.

Business and Professions Code, Division 2, Chapter 5, Article 25 added

Article 25. Recommending Medical Cannabis

2525. (a) It is unlawful for a physician and surgeon who recommends cannabis to a patient for a medical purpose to accept, solicit, or offer any form of remuneration from or to a facility issued a state license pursuant to Chapter 3.5 (commencing with Section 19300) of Division 8, if the physician and surgeon or his or her immediate family have a financial interest in that facility.

(b) For the purposes of this section, "financial interest" shall have the same meaning as in Section 650.01.

(c) A violation of this section shall be a misdemeanor punishable by up to one year in county jail and a fine of up to five thousand dollars (\$5,000) or by civil penalties of up to five thousand dollars (\$5,000) and shall constitute unprofessional conduct.

2525.1. The Medical Board of California shall consult with the California Marijuana Research Program, known as the Center for Medicinal Cannabis Research, authorized pursuant to Section 11362.9 of the Health and Safety Code, on developing and adopting medical guidelines for the appropriate administration and use of medical cannabis.

2525.2. An individual who possesses a license in good standing to practice medicine or osteopathy issued by the Medical Board of California or the Osteopathic Medical Board of California shall not recommend medical cannabis to a patient, unless that person is the patient's attending physician, as defined by subdivision (a) of Section 11362.7 of the Health and Safety Code.

2525.3. Recommending medical cannabis to a patient for a medical purpose without an appropriate prior examination and a medical indication constitutes unprofessional conduct.

2525.4. It is unprofessional conduct for any attending physician recommending medical cannabis to be employed by, or enter into any other agreement with, any person or entity dispensing medical cannabis.

2525.5. (a) A person shall not distribute any form of advertising for physician recommendations for medical cannabis in California unless the advertisement bears the following notice to consumers:
NOTICE TO CONSUMERS: The Compassionate Use Act of 1996 ensures that seriously ill Californians have the right to obtain and use cannabis for medical purposes where medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of medical cannabis. Recommendations must come from an attending physician as defined in Section 11362.7 of the Health and Safety Code. Cannabis is a Schedule I drug according to the federal Controlled Substances Act. Activity related to cannabis use is subject to federal prosecution, regardless of the protections provided by state law.

(b) Advertising for attending physician recommendations for medical cannabis shall meet all of the requirements in Section 651. Price advertising shall not be fraudulent, deceitful, or misleading, including statements or advertisements of bait, discounts, premiums, gifts, or statements of a similar nature.

Government Code Section 9147.7 amended

9147.7. (a) For the purpose of this section, "eligible agency" means any agency, authority, board, bureau, commission, conservancy, council, department, division, or office of state government, however denominated, excluding an agency that is constitutionally created or an agency related to postsecondary education, for which a date for repeal has been established by statute on or after January 1, 2011.

(b) The Joint Sunset Review Committee is hereby created to identify and eliminate waste, duplication, and inefficiency in government agencies. The purpose of the committee is to conduct a comprehensive analysis over 15 years, and on a periodic basis thereafter, of every eligible agency to determine if the agency is still necessary and cost effective.

(c) Each eligible agency scheduled for repeal shall submit to the committee, on or before December 1 prior to the year it is set to be repealed, a complete agency report covering the entire period since last reviewed, including, but not limited to, the following:

(1) The purpose and necessity of the agency.

California Medical Marijuana Regulation & Safety Act & Related Code Sections

- (2) A description of the agency budget, priorities, and job descriptions of employees of the agency.
- (3) Any programs and projects under the direction of the agency.
- (4) Measures of the success or failures of the agency and justifications for the metrics used to evaluate successes and failures.
- (5) Any recommendations of the agency for changes or reorganization in order to better fulfill its purpose.

(d) The committee shall take public testimony and evaluate the eligible agency prior to the date the agency is scheduled to be repealed. An eligible agency shall be eliminated unless the Legislature enacts a law to extend, consolidate, or reorganize the eligible agency. No eligible agency shall be extended in perpetuity unless specifically exempted from the provisions of this section. The committee may recommend that the Legislature extend the statutory sunset date for no more than one year to allow the committee more time to evaluate the eligible agency.

(e) The committee shall be comprised of 10 members of the Legislature. The Senate Committee on Rules shall appoint five members of the Senate to the committee, not more than three of whom shall be members of the same political party. The Speaker of the Assembly shall appoint five members of the Assembly to the committee, not more than three of whom shall be members of the same political party. Members shall be appointed within 15 days after the commencement of the regular session. Each member of the committee who is appointed by the Senate Committee on Rules or the Speaker of the Assembly shall serve during that committee member's term of office or until that committee member no longer is a Member of the Senate or the Assembly, whichever is applicable. A vacancy on the committee shall be filled in the same manner as the original appointment. Three Assembly Members and three Senators who are members of the committee shall constitute a quorum for the conduct of committee business. Members of the committee shall receive no compensation for their work with the committee.

(f) The committee shall meet not later than 30 days after the first day of the regular session to choose a chairperson and to establish the schedule for eligible agency review provided for in the statutes governing the eligible agencies. The chairperson of the committee shall alternate every two years between a Member of the Senate and a Member of the Assembly, and the vice chairperson of the committee shall be a member of the opposite house as the chairperson.

(g) This section shall not be construed to change the existing jurisdiction of the budget or policy committees of the Legislature.

(h) This section shall not apply to the Bureau of Medical Marijuana Regulation.

California Medical Marijuana Regulation & Safety Act & Related Code Sections

Comparison of Medical Marijuana Laws passed 9/11/15, approved by Gov. 10/9/15

* = local regulation implication

Bill No. SB 643	Code Sections Affected	Local Agency Impact	Bill No. AB 206	Code Sections Affected	Local Agency Impact	Bill No. AB 243	Code Sections Affected	Local Agency Impact
Sec 1	BAP Code § 144 amended		Sec 1	BAP Code § 101 amended		Sec 1	BAP Code Add. Art. 6 to Ch. 3.5 * § 19321 requests guidance from Dept. of Pesticides Reg re sale use	
Sec 2	BAP Code § 1220.05 amended		Sec 2	BAP Code § 205.1 added		Sec 2	§ 19322 *	Dept. of Food & Ag to promulgate regs for licensing indoor & outdoor cultivation, Dept. Pesticide Reg & DWR consult to develop standards for pesticide use and mix (reference) for residue of harvest, Dept. Public Health div. Reg for production and labeling of edibles, DWR/DFW and SWRCB to consult to ensure that it does not affect water diversion & discharge not affect biological flows for fish & stream flow variability, defines cultivation license types 1 - 4 *
Sec 3	BAP Code § 1224.5		Sec 3			Sec 3	§ 19323	Commercial cannabis cultivation Employees subject to Wage Order 4-2001
Sec 4	BAP Code § 1227.1		Sec 4	BAP Code Chapter 3.5, § 19300 et. seq. added § 19302 (the Medical Marijuana Regulation and Safety Act) § 19303 Definitions *	May wish to incorporate by reference - includes definition of local license or permit. May wish to incorporate by reference - see also § 19327 (2) from SB 643	Sec 4	§ 19324	Commercial cannabis cultivation Employees subject to Wage Order 4-2001
Sec 5	BAP Code § 1227.5 added					Sec 5	§ 19325	State Licensing Authority fees
Sec 6	BAP Code § 1220.1 added					Sec 6	§ 19326	State Licensing Authority fees
Sec 7	BAP Code § 19310 added *	As exempt patients & caregivers from this license with bona fide 100 & 500 sq. ft. requires local license or permit for state license		§ 19307.7 License Classifications *		Sec 7	§ 19327	State Licensing Authority fees
Sec 8	BAP Code § 19310 added *			§ 19308 Bureau of AAHB in BCA		Sec 8	§ 19328	State Licensing Authority fees
Sec 9	BAP Code § 19312 added *	Sub (a) requires local license or permit to apply for state license and (b)(3) local agency document that business operating in compliance with all local ordinances & regulations		§ 19309 Public Protection Priority for Bureau		Sec 9	§ 19329	State Licensing Authority fees
Sec 10	BAP Code § 19313 added *	Sub (1)(B) state license or renewal may be denied if local agency notifies state licensing of violation of state rules & regulations		§ 19310 Bureau authorized to make rules		Sec 10	§ 19330	State Licensing Authority fees
Sec 11	BAP Code § 19314 added			§ 19311		Sec 11	§ 19331	State Licensing Authority fees
Sec 12	BAP Code § 19315 added			§ 19312		Sec 12	§ 19332	State Licensing Authority fees
Sec 13	BAP Code § 19316 - 19318 added *	§ 19317 (a), Dept. Food & Ag requires require that cultivation be in indoor with state and local laws related to land conversion, grading, electricity usage, water usage, etc. § 19317 (b) violations license types by rule and also license classification system		§ 19313		Sec 13	§ 19333	State Licensing Authority fees
Sec 14	BAP Code § 19319 - 19320 added			§ 19314		Sec 14	§ 19334	State Licensing Authority fees
Sec 15	BAP Code § 19321 - 19322 added *	Transportation licensing § 19321 (a) prohibits local jurisdiction from preventing transportation of MM on public roads by licensees		§ 19315		Sec 15	§ 19335	State Licensing Authority fees
Sec 16	BAP Code § 19323 added *	Severability: Findings for local public information access to be reimbursement for local monitoring without Commission on State Lands Determination		§ 19316		Sec 16	§ 19336	State Licensing Authority fees
Sec 17				§ 19317		Sec 17	§ 19337	State Licensing Authority fees
Sec 18				§ 19318		Sec 18	§ 19338	State Licensing Authority fees
Sec 19				§ 19319		Sec 19	§ 19339	State Licensing Authority fees
Sec 20	Only operative if AB 206 and AB 243 take effect			§ 19320		Sec 20	§ 19340	State Licensing Authority fees
				§ 19321				
				§ 19322				
				§ 19323				
				§ 19324				
				§ 19325				
				§ 19326				
				§ 19327				
				§ 19328				
				§ 19329				
				§ 19330				
				§ 19331				
				§ 19332				
				§ 19333				
				§ 19334				
				§ 19335				
				§ 19336				
				§ 19337				
				§ 19338				
				§ 19339				
				§ 19340				
				§ 19341				
				§ 19342				
				§ 19343				
				§ 19344				
				§ 19345				
				§ 19346				
				§ 19347				
				§ 19348				
				§ 19349				
				§ 19350				
				§ 19351				
				§ 19352				
				§ 19353				
				§ 19354				
				§ 19355				
				§ 19356				
				§ 19357				
				§ 19358				
				§ 19359				
				§ 19360				
				§ 19361				
				§ 19362				
				§ 19363				
				§ 19364				
				§ 19365				
				§ 19366				
				§ 19367				
				§ 19368				
				§ 19369				
				§ 19370				
				§ 19371				
				§ 19372				
				§ 19373				
				§ 19374				
				§ 19375				
				§ 19376				
				§ 19377				
				§ 19378				
				§ 19379				
				§ 19380				
				§ 19381				
				§ 19382				
				§ 19383				
				§ 19384				
				§ 19385				
				§ 19386				
				§ 19387				
				§ 19388				
				§ 19389				
				§ 19390				
				§ 19391				
				§ 19392				
				§ 19393				
				§ 19394				
				§ 19395				
				§ 19396				
				§ 19397				
				§ 19398				
				§ 19399				
				§ 19400				
				§ 19401				
				§ 19402				
				§ 19403				
				§ 19404				
				§ 19405				
				§ 19406				
				§ 19407				
				§ 19408				
				§ 19409				
				§ 19410				
				§ 19411				
				§ 19412				
				§ 19413				
				§ 19414				
				§ 19415				
				§ 19416				
				§ 19417				
				§ 19418				
				§ 19419				
				§ 19420				
				§ 19421				
				§ 19422				
				§ 19423				
				§ 19424				
				§ 19425				
				§ 19426				
				§ 19427				
				§ 19428				
				§ 19429				
				§ 19430				
				§ 19431				
				§ 19432				
				§ 19433				
				§ 19434				
				§ 19435				
				§ 19436				
				§ 19437				
				§ 19438				
				§ 19439				
				§ 19440				
				§ 19441				
				§ 19442				
				§ 19443				
				§ 19444				
				§ 19445				
				§ 19446				
				§ 19447				
				§ 19448				
				§ 19449				
				§ 19450				
				§ 19451				
				§ 19452				
				§ 19453				
				§ 19454				
				§ 19455				
				§ 19456				
				§ 19457				
				§ 19458				
				§ 19459				
				§ 19460				
				§ 19461				
				§ 19462				
				§ 19463				
				§ 19464				
				§ 19465				
				§ 19466				
				§ 19467				
				§ 19468				
				§ 19469				
				§ 19470				
				§ 19471				
				§ 19472				
				§ 19473				
				§ 19474				
				§ 19475				
				§ 19476				
				§ 19477				
				§ 19478				
				§ 19479				
				§ 19480				
				§ 19481				
				§ 19482				
				§ 19483				
				§ 19484				
				§ 19485				
				§ 19486				
				§ 19487				
				§ 19488				
				§ 19489				
				§ 19490				
				§ 19491				
				§ 19492				
				§ 19493				
				§ 19494				
				§ 19495				
				§ 19496				
				§ 19497				
				§ 19498				
				§ 19499				
				§ 19500				
				§ 19501				
				§ 19502				
				§ 19503				
				§ 19504				
				§ 19505				
				§ 19506				
				§ 19507				
				§ 19508				
				§ 19509				
				§ 19510				
				§ 19511				
				§ 19512				
				§ 19513				
				§ 19514				
				§ 19515				
				§ 19516				
				§ 19517				
				§ 19518				
				§ 19519				



California
LEGISLATIVE INFORMATION

AB-21 Medical marijuana: cultivation licenses. (2015-2016)

SECTION 1. Section 11362.777 of the Health and Safety Code is amended to read:

11362.777. (a) The Department of Food and Agriculture shall establish a Medical Cannabis Cultivation Program to be administered by the ~~secretary~~ *secretary and*, except as specified in subdivision (c), shall administer this section as it pertains to the cultivation of medical marijuana. For purposes of this section and Chapter 3.5 (commencing with Section 19300) of *Division 8 of* the Business and Professions Code, medical cannabis is an agricultural product.

(b) (1) A person or entity shall not cultivate medical marijuana without first obtaining both of the following:

(A) A license, permit, or other entitlement, specifically permitting cultivation pursuant to these provisions, from the city, county, or city and county in which the cultivation will occur.

(B) A state license issued by the department pursuant to this section.

(2) A person or entity shall not submit an application for a state license issued by the department pursuant to this section unless that person or entity has received a license, permit, or other entitlement, specifically permitting cultivation pursuant to these provisions, from the city, county, or city and county in which the cultivation will occur.

(3) A person or entity shall not submit an application for a state license issued by the department pursuant to this section if the proposed cultivation of marijuana will violate the provisions of any local ordinance or regulation, or if medical marijuana is prohibited by the city, county, or city and county in which the cultivation is proposed to occur, either expressly or otherwise under principles of permissive zoning.

(c) (1) Except as otherwise specified in this subdivision, and without limiting any other local regulation, a city, county, or city and county, through its current or future land use regulations or ordinance, may issue or deny a permit to cultivate medical marijuana pursuant to this section. A city, county, or city and county may inspect the intended cultivation site for suitability ~~prior to~~ *before* issuing a permit. After the city, county, or city and county has approved a permit, the applicant shall apply for a state medical marijuana cultivation license from the department. A locally issued cultivation permit shall only become active upon licensing by the department and receiving final local approval. A person shall not cultivate medical marijuana ~~prior to~~ *before* obtaining both a permit from the city, county, or city and county and a state medical marijuana cultivation license from the department.

(2) A city, county, or city and county that issues or denies conditional licenses to cultivate medical marijuana pursuant to this section shall notify the department in a manner prescribed by the secretary.

(3) A city, county, or city and county's locally issued conditional permit requirements must be at least as stringent as the department's state licensing requirements.

~~(4) If a city, county, or city and county does not have land use regulations or ordinances regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under principles of permissive zoning, or chooses not to administer a conditional permit program pursuant to this section, then commencing March 1, 2016, the division shall be the sole licensing authority for medical marijuana cultivation applicants in that city, county, or city and county.~~

(d) (1) The secretary may prescribe, adopt, and enforce regulations relating to the implementation, administration, and enforcement of this part, including, but not limited to, applicant requirements, collections, reporting, refunds, and appeals.

(2) The secretary may prescribe, adopt, and enforce any emergency regulations as necessary to implement this part. Any emergency regulation prescribed, adopted, or enforced pursuant to this section shall be adopted in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the

Government Code, and, for purposes of that chapter, including Section 11349.6 of the Government Code, the adoption of the regulation is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health and safety, and general welfare.

(3) The secretary may enter into a cooperative agreement with a county agricultural commissioner to carry out the provisions of this chapter, including, but not limited to, administration, investigations, inspections, licensing and assistance pertaining to the cultivation of medical marijuana. Compensation under the cooperative agreement shall be paid from assessments and fees collected and deposited pursuant to this chapter and shall provide reimbursement to the county agricultural commissioner for associated costs.

(e) (1) The department, in consultation with, but not limited to, the Bureau of Medical Marijuana Regulation, the State Water Resources Control Board, and the Department of Fish and Wildlife, shall implement a unique identification program for medical marijuana. In implementing the program, the department shall consider issues, including, but not limited to, water use and environmental impacts. In implementing the program, the department shall ensure that:

(A) Individual and cumulative effects of water diversion and discharge associated with cultivation do not affect the instream flows needed for fish spawning, migration, and rearing, and the flows needed to maintain natural flow variability.

(B) Cultivation will not negatively impact springs, riparian wetlands, and aquatic habitats.

(2) The department shall establish a program for the identification of permitted medical marijuana plants at a cultivation site during the cultivation period. The unique identifier shall be attached at the base of each plant. A unique identifier, such as, but not limited to, a zip tie, shall be issued for each medical marijuana plant.

(A) Unique identifiers will only be issued to those persons appropriately licensed by this section.

(B) Information associated with the assigned unique identifier and licensee shall be included in the trace and track program specified in Section 19335 of the Business and Professions Code.

(C) The department may charge a fee to cover the reasonable costs of issuing the unique identifier and monitoring, tracking, and inspecting each medical marijuana plant.

(D) The department may promulgate regulations to implement this section.

(3) The department shall take adequate steps to establish protections against fraudulent unique identifiers and limit illegal diversion of unique identifiers to unlicensed persons.

(f) (1) A city, county, or city and county that issues or denies licenses to cultivate medical marijuana pursuant to this section shall notify the department in a manner prescribed by the secretary.

(2) Unique identifiers and associated identifying information administered by a city or county shall adhere to the requirements set by the department and be the equivalent to those administered by the department.

(g) This section does not apply to a qualified patient cultivating marijuana pursuant to Section 11362.5 if the area he or she uses to cultivate marijuana does not exceed 100 square feet and he or she cultivates marijuana for his or her personal medical use and does not sell, distribute, donate, or provide marijuana to any other person or entity. This section does not apply to a primary caregiver cultivating marijuana pursuant to Section 11362.5 if the area he or she uses to cultivate marijuana does not exceed 500 square feet and he or she cultivates marijuana exclusively for the personal medical use of no more than five specified qualified patients for whom he or she is the primary caregiver within the meaning of Section 11362.7 and does not receive remuneration for these activities, except for compensation provided in full compliance with subdivision (c) of Section 11362.765. For purposes of this section, the area used to cultivate marijuana shall be measured by the aggregate area of vegetative growth of live marijuana plants on the premises. ~~Exemption from the requirements of this section does not limit or prevent a city, county, or city and county from regulating or banning the cultivation, storage, manufacture, transport, provision, or other activity by the exempt person, or impair the enforcement of that regulation or ban.~~

SEC. 2. *This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:*

To allow local governments to protect the health of their citizens by regulating marijuana at the earliest possible date, it is necessary that this act take effect immediately.