



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

March 14, 2019

The Honorable Ken Cooley
Member, California State Assembly
State Capitol, Room 3013
Sacramento, CA 95814

RE: Assembly Bill 1530 – SUPPORT

Dear Assembly Member Cooley:

On behalf of the Rural County Representatives of California (RCRC), I am writing to express our support for your Assembly Bill 1530, which furthers the position that municipalities can regulate and/or prohibit mobile deliveries of cannabis products.

RCRC is an association of thirty-six rural California counties, and the RCRC Board of Directors is comprised of elected supervisors from each of those member counties. The issue of cannabis and particularly those surrounding cultivation continue to be of importance to RCRC's member counties. With the enactment of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and the Adult Use of Marijuana Act (Proposition 64), there are requirements that cannabis operators participating in the regulated commercial cannabis market be licensed by the State and receive local authorization.

Several weeks ago, regulations were adopted by the Bureau of Cannabis Control (BCC) that ostensibly allow for ubiquitous mobile deliveries of cannabis products even in cities and counties that prohibit this activity. At the time these regulations were being formulated, RCRC expressed our strong opposition based on the belief that this regulation violates provisions of Proposition 64. And, the policy implications surrounding ubiquitous mobile deliveries, including the application of locally-imposed retail taxes, have not been adequately contemplated. Unfortunately, these objections were ignored by State regulators.

As such, cities and counties are left with two options to counter these regulations. The first, is to make the law even more clear by enacting that "A local jurisdiction may adopt an ordinance or resolution pursuant to Section 26200 that permits, restricts, limits, or bans the delivery of cannabis or cannabis products to a location within

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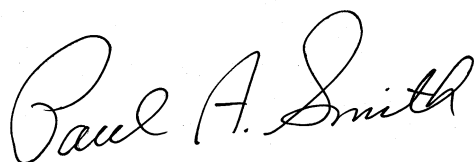
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its jurisdictional boundaries.” The second option is to challenge the validity of the regulations in court – something that is regrettable, but necessary.

While RCRC fully supports AB 1530, we would suggest an amendment be incorporated to immediately reverse BCC’s regulation allowing for ubiquitous mobile deliveries. This could be accomplished by adopting a “declaratory of existing law” clause. We also suggest a technical revision, changing “transportation of cannabis or cannabis products for delivery...” to “carriage of cannabis or cannabis products for delivery....” Similar language was used in the MCRSA (former Business and Professions Code Section 19340), and will avoid confusion with the term “transport,” which MAUCRSA uses in other contexts.

If you should have any questions or concerns, please do not hesitate to contact me at (916) 447-4806.

Sincerely,

A handwritten signature in black ink that reads "Paul A. Smith". The signature is written in a cursive, flowing style.

PAUL A. SMITH
Vice President Governmental Affairs

cc: Members of the Assembly Business & Professions Committee
Consultant, Assembly Business & Professions Committee