

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, in 2015, the State Legislature passed AB 243 (Wood), AB 266 (Bonta), and SB 643 (McGuire), collectively known as the Medical Marijuana Regulation and Safety (MMRS) Act, thereupon providing licensure of medical marijuana dispensaries for the first time in California; and

WHEREAS, further, the MMRS Act prohibits a person from engaging in commercial cannabis activity without possessing both a State license and a local permit, license, or other authorization; and

WHEREAS, under existing law, medical marijuana dispensaries in the City are ineligible for State licenses due to the fact that the City does not issue permits to these entities, per Measure D approved by City voters on the May 21, 2013 general election; and

WHEREAS, currently pending before the State Assembly is a bill, AB 2385, as amended (Jones-Sawyer), which in regards to commercial cannabis activity in the City of Los Angeles, would prohibit licensing authorities from requiring a local license, permit, or other authorization, and allow the issuance of a State license if the authorities determine that the applicant meets all of the specified criteria relating to Measure D in addition to the requirements of the MMRS Act; and

WHEREAS, AB 2385, as amended (Jones-Sawyer), would also require the exemption to the local licensing requirement for commercial cannabis activity in the City to be superseded by a subsequent initiative authorizing the City to issue local licenses to medical marijuana businesses, if City voters approve the initiative prior to the time the State begins issuing licenses; and

WHEREAS, under the MMRS Act, all medical marijuana dispensaries in the City will be illegal in 2018, thereby disrupting a major marketplace for marijuana and contradicting the intent of State voters in passing Proposition 215, which provides certain legal protections for qualified patients and caregivers that possess or cultivate medical marijuana, and the intent of City voters in Measure D, which grants immunity to medical marijuana businesses that met its specified criteria;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2015-2016 State Legislative Program SUPPORT for AB 2385, as amended (Jones-Sawyer), which would exempt the City of Los Angeles from the local licensing requirement of the Medical Marijuana Regulation and Safety Act and allow the issuance of a State license if the licensing authorities determine that the applicant meets all of the specified criteria relating to Measure D in addition to the requirements of the MMRS Act.

APR 15 2016



PRESENTED BY:



PAUL KORETZ
Councilmember, 5th District

ORIGINAL

SECONDED BY:

