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**AJR-27 Cannabis.** (2017-2018)

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**Assembly Joint Resolution No. 27**

**CHAPTER 168**

Relative to cannabis.

[ Filed with Secretary of State August 27, 2018. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AJR 27, Low. Cannabis.

This measure would urge the United States Department of Justice not to direct its enforcement priorities towards California's lawfully and closely regulated cannabis industry, among other things.

Fiscal Committee: no

WHEREAS, The voters of the State of California passed Proposition 215 to legalize marijuana, also known as cannabis, for medical purposes in 1996 with 55.8 percent of the vote; and

WHEREAS, In 2003, the California Legislature passed Senate Bill 420 into law to further regulate and clarify state medical cannabis laws; and

WHEREAS, In 2010, California further decriminalized cannabis with the passage of Senate Bill 1449, making possession of up to an ounce of marijuana an infraction rather than a misdemeanor; and

WHEREAS, In 2015, the California State Legislature passed into law a trio of bills, known together as the Medical Cannabis Regulation and Safety Act (MCRSA) to create a statewide system for the regulation and taxation of medical cannabis; and

WHEREAS, In 2016, the voters of California passed Proposition 64, the Adult Use of Marijuana Act (AUMA), to legalize, regulate, and tax cannabis for adult use with 57.1 percent of voters supporting the initiative; and

WHEREAS, Californians have engaged directly in lawmaking through the initiative process and have demonstrated on multiple occasions the will of the people to legalize cannabis for both medical and adult use purposes in the state; and

WHEREAS, The State of California has established a strict and comprehensive system of oversight for both medical and adult use cannabis, including prohibitions on sale to minors, tracking of cannabis and cannabis products through the entire supply chain, regulation and testing of cannabis products, limits on the types of cannabis products that can be sold, and the ongoing supervision and licensing of cannabis businesses and manufacturers; and

WHEREAS, The Legislature has exercised significant oversight over the establishment of the state's structure for regulating the cannabis industry to ensure consumer protection; and

WHEREAS, A significant portion of revenue generated through the taxation of cannabis sales in California will be provided to local law enforcement agencies tasked with protecting the public from legitimate harm; and

WHEREAS, In 2009, United States Deputy Attorney General David W. Ogden issued a memorandum directing United States Attorneys to “not focus federal resources in your States on individuals whose actions are in clear and unambiguous compliance with existing state laws providing for the medical use of marijuana”; and

WHEREAS, In 2013, United States Deputy Attorney General James M. Cole issued a memorandum to United States Attorneys recognizing that states with “a robust system may affirmatively address priorities by, for example, implementing effective measures to prevent diversion of marijuana outside the regulated system and to other states, prohibiting access to marijuana by minors, and replacing an illicit marijuana trade that funds criminal enterprises with a tightly regulated market in which revenues are tracked and accounted for”; and

WHEREAS, The growing opioid crisis continues to represent a far greater threat to the health and safety of our communities, claiming 91 American lives every day; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, that the enforcement priorities of the United States Department of Justice should not be undeservedly placed on California’s lawful and closely regulated cannabis industry; and be it further

Resolved, That the United States Attorneys representing the people of California should make clear to the communities they serve whether they intend to divert scarce resources away from legitimate public safety concerns; and be it further

Resolved, That the federal government should instead focus on investigating and prosecuting those who have created and exacerbated the epidemic of prescription drug abuse across our country; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States and to each Senator and Representative from California in the Congress of the United States.