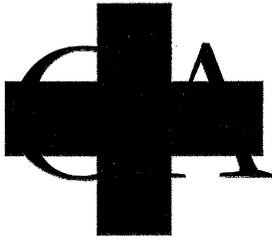


The 2016 California Bipartisan Decriminalization of Cannabis Act



A New Direction for a Safer California

Jason Porter Collinsworth

Lara Marie Collinsworth

Authors of *The Unrevealed* and Founders of Love Genetics

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June 3, 2015

Office of the Attorney General
Attention: Ashley Johansson,
Initiative Coordinator
P.O. Box 944255
Sacramento, CA 94244-2550
(916) 445-4752

RECEIVED

JUN 05 2015

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Initiative Coordinator Ashley Johansson:

Pursuant to Elections Code § 9002(b), we have enclosed a list of amendments to be made to "The 2016 California Bipartisan Decriminalization of Cannabis Act" (The CBD Cannabis Act).

Please contact us at (209) 605-9396 or CaliforniaCBD2016@gmail.com if you have any questions.

Respectfully,

Jason Porter Collinsworth

Lara Marie Collinsworth

Jason Porter Collinsworth
Lara Marie Collinsworth 6-3-15

06/03/2015

Please make the following **amendments** to Section 11362.3 of The CBD Cannabis Act:

Section 11362.3 (e)(1) No county or city shall impose any cannabis specific fee or tax including but not limited to occupation taxes, privilege taxes, or inspection fees, in connection with the cultivation, purchase, sale, production, processing, transportation, or delivery of cannabis.

Section 11362.3 (f)(2)(B) 10% shall be distributed to state, county, and local law enforcement funds.

Section 11362.3 (f)(3)(C) 15% shall be distributed to the California Department of Corrections and Rehabilitation to facilitate and complete the release of all nonviolent cannabis only offenders pursuant to §11362.3(y) and §11362.3(y)(2).

Section 11362.3 (g)(3) Personal use gardens shall be no greater than 500 square feet per adult total combined indoor, outdoor, and greenhouse with a maximum of 1,500 square feet per parcel.

Section 11362.3 (g)(4) Personal use cannabis and personal use cannabis gardens shall be completely obscured to the general public with the exception of aerial observations and made inaccessible to the public and minors by all possible and reasonable means. In order to prosecute and convict a citizen who has made personal use cannabis or a personal use cannabis garden accessible to the public or a minor, the state must prove that the cannabis directly harmed the individual.

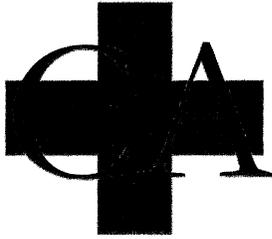
Section 11362.3 (aa) **The use of river, stream, pond, reservoir, canal, aqueduct, or lake water for private or commercial cannabis cultivation unless privately owned is strictly prohibited with the exception of established or existing granted water rights.**

Please make the following **additions** to Section 11362.3 of The CBD Cannabis Act:

Section 11362.3 (e)(2) All taxes shall be collected and distributed by the California State Board of Equalization and the California Franchise Tax Board.

Section 11362.3 (f)(2)(I) 5% shall be distributed to California State Universities, University of California colleges, and state run community colleges to be used for financial aid, scholarship, and grants programs restricted funds.

Section 11362.3 (f)(3)(I) 5% shall be distributed to state, county, and local law enforcement funds.

*A New Direction for a Safer California*

Jason Porter Collinsworth

Lara Marie Collinsworth

Authors of *The Unrevealed* and Founders of Love Genetics

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April 29, 2015

Office of the Attorney General
 Attention: Ashley Johansson,
 Initiative Coordinator
 P.O. Box 944255
 Sacramento, CA 94244-2550
 (916) 445-4752

RECEIVED
 MAY 01 2015

INITIATIVE COORDINATOR
 ATTORNEY GENERAL'S OFFICE

Dear Initiative Coordinator Ashley Johansson:

Pursuant to Election Code §9001(a), we the undersigned are submitting the attached proposed statewide ballot initiative to your office and request the preparation of a title and summary for the initiative as provided by law.

We propose the title: The 2016 California Bipartisan Decriminalization of Cannabis Act (or, "The CBD Cannabis Act").

We have also included with this letter the signed Proponent Certifications required under California Elections Code §9001(b) and §9608, our public contact information and payment in the amount of \$200.

Please direct all queries and correspondence to:

Jason Porter Collinsworth
 P.O. Box 685
 Soulsbyville, CA 95372
 (209) 605-9396
 CaliforniaCBD2016@gmail.com

Respectfully,

Jason Porter Collinsworth 04/29/2015

Jason Porter Collinsworth

Lara Marie Collinsworth 4/29/2015

Lara Marie Collinsworth

The 2016 California Bipartisan Decriminalization of Cannabis Act
“A New Direction for a Safer California”

An Act to Amend the California Health and Safety Code:

Add Sections 11362.1, 11362.15, 11362.2, and 11362.3 to the California Health and Safety Code.

§11362.1 The People of the State of California find and declare all of the following:

- (a) This section shall be known and may be cited as “The CBD Cannabis Act”.
- (b) Cannabis is a widely beneficial plant that can be easily used for medicine, food, textiles, paper, building materials, fuels, cosmetics, and entertainment.
- (c) The decriminalization of cannabis will have a huge financial benefit on California’s struggling economy, providing opportunities for thousands of new jobs while simultaneously collecting millions of dollars in tax revenue.
- (d) Studies have determined that CBD, along with the other cannabinoids, is a viable treatment or cure for approximately 700 ailments, illnesses, or diseases.
- (e) Cannabis is a safe and effective alternative to traditional prescription pharmaceuticals.
- (f) Cannabis is a non-lethal and safe alternative to alcohol and other recreational drugs and does not have a high potential for abuse.
- (g) Cannabis is a healthy, nutrient-rich, and easy-to-cultivate food crop.
- (h) Cannabis is a renewable resource with far less environmental impact than other commodities.
- (i) Cannabis products can replace the use of plastics and petroleum-based fuels.

§11362.15 The People of the State of California declare that the purpose of The CBD Cannabis Act is:

- (a) To provide a safe and sensible approach to decriminalizing cannabis.
- (b) To establish a comprehensive regulatory framework for cannabis under California State Law.
- (c) To restrict the access of cannabis to minors.
- (d) To ensure that the revenue from the sale of cannabis goes to the people of California rather than going to foreign entities, criminal organizations, gangs, or cartels.
- (e) To improve the California education system by allocating millions of tax dollars to our public schools’ academic programs.
- (f) To assist law enforcement in determining safe levels of impairment for the operation of motor vehicles in order to keep California’s streets safe.
- (g) To assist in drug and alcohol prevention, intervention, and awareness.

- (h) To protect and preserve California's environment and climate from the negative impacts of cannabis prohibition.
- (i) To protect the safety, welfare, health, and peace of the people of California by freeing law enforcement resources and allowing agents of the law to focus on preventing crime.
- (j) To protect the rights and safety of all medical cannabis users and the physicians who prescribe medical cannabis.
- (k) To assist in funding grants for medical research, education, and awareness specific to the health benefits and effects of cannabis.
- (l) To ensure that California schools and health care professionals have access to cannabis education.
- (m) To establish standardized labeling for all cannabis products.
- (n) To ensure that all recreational cannabis and medical cannabis is lab tested for safety.
- (o) To ensure that California cannabis remains in California and out of prohibition states.
- (p) To create a free market economy for recreational cannabis similar to that of wine.
- (q) To grant California citizens the right to cultivate and use cannabis in a responsible way.

§11362.2 Definition of Terms:

- (a) "Active cannabinoid" means tetrahydrocannabinol (THC), cannabidiol (CBD), tetrahydrocannabivarin (THCV), cannabinol (CBN), or any compound in cannabis including but not limited to tetrahydrocannabinolic acid (THCa), cannabidiolic acid (CBDa), tetrahydrocannabivarin carboxylic acid (THCVa) that has been decarboxylated.
- (b) "Cannabis" means any plant in the Cannabis genus including but not limited to *Cannabis sativa*, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not, or any plant part thereof; any cannabis material or cannabis product including but not limited to cannabis flower, leaf, particle, resin, root, stalk, stem, pulp, sap, or any derivative thereof; any cannabis extract unless otherwise prohibited pursuant to §11362.3(k)(1); any other common-name cannabis plant or plant part including but not limited to marijuana, pot, buds, ganja, grass, weed, fyah, tree, herb, hemp or reefer.
- (c) "Cannabis business" means any legal, licensed business involved in cannabis cultivation, production, processing, transportation, storage, packaging, distribution, exchange, or sales including but not limited to organizations, operations, recreational cannabis facilities, medical cannabis pharmacies, grocery stores selling cannabis, cannabiseries, restaurants, yoga studios, hookah bars, bed and breakfasts, cannabis farms, or cannabis extraction facilities.

- (d) "Cannabis edibles" means any edible food product or beverage infused with cannabis or any decarboxylated cannabis intended for personal use consumption including but not limited to confections, nuts, coffee beans, candied cannabis flowers, teas, honey, or sodas.
- (e) "Cannabis extracts" means any concentrated or extracted form of cannabis resin or resin glands including but not limited to hash, kief, rosin tech, bubble, or cannabis plant oil as differentiated from dietary cannabis seed oil.
- (f) "Cannabis testing facility" means a state licensed and certified analytical cannabis testing laboratory.
- (g) "Cannabis-only" means a cannabis business with a minimum of 75% of total sales or proceeds coming from cannabis.
- (h) "Cannabisery(ies)" means a cannabis business that cultivates, processes, and packages recreational cannabis for retail sale or wholesale distribution and maintains a public cannabis tasting room analogous with a wine tasting room at a winery.
- (i) "Child-resistant" means cannot be reasonably opened by a child under the age of 5 but can easily be opened by an adult for the product's intended use.
- (j) "Decarboxylated" means cannabis that has undergone a chemical or mechanical process usually heat to activate its natural compounds making them psychoactive, euphoric, or medicinal.
- (k) "Dietary cannabis" means any cannabis that has not been decarboxylated that is intended for human nutritional consumption including but not limited to cannabis seed oil, cannabis seed, cannabis seed cake, cannabis protein powder, fresh cannabis flowers, fresh cannabis leaf, cannabis sap, or cannabis juice.
- (l) "Industrial cannabis" means any cannabis or cannabis product intended for industrial or cosmetic use that is not intended for human consumption including but not limited to clothing, building materials, paper, fuels, fiber, plastics, lubricants, paints, animal feed, cosmetics, or lotions.
- (m) "Liquid cannabis extracts" means any concentrated cannabis extraction suspended in a carrier including but not limited to alcohol tinctures, glycerin solutions, cannabis infused oils, or cannabis infused butter.
- (n) "Live cannabis plant" means any cannabis plant with roots including but not limited to seedlings, cuttings, clones, bare-root plants, or mother-plants.
- (o) "Medical cannabis pharmacy" means any medical cannabis-only business registered and licensed by the State to administer or dispense medical cannabis.
- (p) "Medical cannabis" means any cannabis or cannabis derived medical preparation prescribed by a licensed physician intended for human consumption, with the exception of cannabis edibles, used for the treatment of any disease or medical condition, or for any healing purpose, including but not limited to the treatment, prevention, or relief of acid reflux, acne, ADD/ADHD, addiction, AIDS, ALS, Alzheimer's, anorexia, antibiotic resistance, anxiety, atherosclerosis, arthritis, asthma, autism, bipolar disorder, degenerative bone

diseases, bronchitis, cancer, chronic pain, colitis/Crohn's, depression, diabetes, eating disorders, endocrine disorders, epilepsy/seizures, fibromyalgia, gastrointestinal disorders, glaucoma, heart disease, Huntington's, infections, inflammation, injury, irritable bowel syndrome, kidney disease, liver disease, metabolic syndrome, migraines, mood disorders, motion sickness, multiple sclerosis, nausea, neurodegeneration, neuropathic pain, obesity, OCD, osteoporosis, Parkinson's, Prion/Mad Cow disease, PTSD, rheumatism, schizophrenia, sickle cell anemia, skin conditions, sleep disorders, spinal cord injury, stress, stroke/TBI, weight loss, or vertigo.

- (q) "Personal use garden" means any garden cultivated by an adult age 21 and over on his or her property or private residence pursuant to §11362.3(g).
- (r) "Personal use" means the use of cannabis by adults age 21 and over for any reason other than sale including but not limited to personal, recreational, meditative, spiritual, religious, athletic, homeopathic, dietary, or other purposes within reason of the law; or, the possession of said cannabis on one's person or personal property.
- (s) "Recreational cannabis facility" means any cannabis business licensed by the state to cultivate, produce, process, dispense, sell, extract, store, exchange, package, or transfer recreational cannabis.
- (t) "Recreational cannabis" means any state sanctioned cannabis intended for personal use with a desired effect or potential effect including but not limited to euphoria, altered state of consciousness, or relaxation.

§11362.3 (a) Cannabis shall be legal in the State of California.

(b) The provisions and intent of The CBD Cannabis Act shall be given precedence over any state law, statute, regulation or policy that conflicts with this section, and the policy and intent of this Act shall prevail over any such contrary law, statute, regulation or policy.

(1) If this Act is approved by the voters, but superseded by any other conflicting ballot initiative approved by more voters in the same election, and the conflicting ballot initiative is later held invalid, it is the intent of the voters that this Act shall be given the full force of law.

(2) If this Act is approved by the voters, but superseded by any other rival or conflicting cannabis-specific ballot initiative approved by more voters in the same election, then all non-conflicting parts of The CBD Cannabis Act shall become operative.

(3) All provisions herein defined shall be applied to any and all applicable codes including but not limited to tax code and business code if necessary.

(c) Cannabis shall be removed from the California Uniform Controlled Substances Act, and cannabis' Federal Schedule I status shall no longer be recognized or honored by the State of California.

(d) California cannabis businesses shall only be owned or operated by citizens of California.

(e) The State has the exclusive right to tax cannabis pursuant to §11362.3(f)(1), 11362.3(f)(2), 11362.3(f)(3), 11362.3(h)(3), 11362.3(h)(4), and 11362.3(o).

(1) No county or city shall impose any fee or tax including but not limited to occupation taxes, privilege taxes, or inspection fees, in connection with the cultivation, purchase, sale, production, processing, transportation, or delivery of cannabis.

(f) Recreational cannabis shall be legal for personal use by adults age 21 and over.

(1) The sale of recreational cannabis is subject to all state, county, and local sales tax.

(2) Starting January 1, 2017, recreational cannabis shall bear exactly 15% excise tax.

(A) 50% shall be distributed among California public schools serving kindergarten through 12th graders to be used for academic, facilities, libraries, music, art, or drama programs' restricted funds. The distribution of these funds shall be based on student enrollment such that every public school receives an equal amount per student enrolled. Use of these funds for the school board, the district office, the school administration, or administrative salaries at any level is strictly prohibited.

(B) 15% shall be distributed to state, county, and local law enforcement funds.

(C) 10% shall be distributed to the California Department of Cannabis and Alcoholic Beverage Control pursuant to §11362.3(f)(4)(A).

(D) 10% shall be distributed to fund grants for medical research, education, and awareness specific to the health benefits and effects of cannabis.

(E) 5% shall be distributed to the California Department of Food and Agriculture.

(F) 5% shall be distributed to the State General Fund.

(G) 4% shall be distributed to the California Department of Public Health. A minimum of 25% of these funds shall be used for drug and alcohol addiction awareness, prevention, intervention, and treatment programs.

(H) 1% shall be distributed to the California Division of Measurement Standards.

(3) An additional 5% implementation tax shall be applied to all retail sales of recreational cannabis between January 1, 2017 and January 1, 2022.

(A) 20% shall be distributed to local and county governments.

(B) 20% shall be distributed to the California Department of Cannabis and Alcoholic Beverage Control.

(C) 20% shall be distributed to the California Department of Corrections and Rehabilitation to facilitate and complete the release of all nonviolent cannabis only offenders pursuant to §11362.3(y) and §11362.3(y)(2).

(D) 15% shall be distributed to the California Environmental Protection Agency to implement regulations specific to commercial cannabis cultivation. The California Environmental Protection Agency shall ensure cannabis cultivation, production, and processing is done in a manner compliant with CalEPA regulations. A majority percentage of the funds from this tax shall be used to prevent cannabis cultivation from destroying local forests, streams, and wildlife habitats. A significant percentage shall go to the State Water Resources Control Board to fund desalinization treatment plants and other water conservation methods to help offset the water usage of legal cannabis cultivation in California. A portion of the funds shall go to the California Department of Pesticide Regulation to develop and implement regulations specific to commercial cannabis cultivation. A portion of the funds shall go to developing and implementing a tiered tax incentive program specifically for cannabis businesses and organizations implementing or practicing green methods of operation including but not limited to solar power, rainwater collection, or grey water recycling systems.

(E) 10% shall be distributed to the California Department of Food and Agriculture.

(F) 5% shall be distributed to the California Department of Public Health.

(G) 5% shall be distributed to the California Department of Education to implement and enforce The CBD Cannabis Act and corresponding curriculum pursuant to §11362.3(u), 11362.3(u)(1) and 11362.3(u)(2).

(H) 5% shall be distributed to the State General Fund specifically to offset unanticipated costs of implementation.

(4) Recreational cannabis is to be governed by the California Department of Cannabis and Alcoholic Beverage Control.

(A) The Department of Alcoholic Beverage Control shall be hereafter officially titled the "California Department of Cannabis and Alcoholic Beverage Control".

(B) The Department of Cannabis and Alcoholic Beverage Control shall determine license types, fees, and basic privileges for recreational cannabis analogous with and no more onerous than the on-sale and off-sale beer and wine models.

(C) The Department of Cannabis and Alcoholic Beverage Control shall develop and implement regulations for recreational cannabis cultivation, processing, production, packaging, transportation, use, sale, distribution, and advertising by July 1, 2017. Regulations shall include provisions for restricting recreational cannabis access to minors and to states with prohibition laws.

(5) Recreational cannabis shall only be produced, processed, sold, or distributed by facilities licensed by the California Department of Cannabis and

Alcoholic Beverage Control including but not limited to recreational cannabis clubs, restaurants, grocery stores, nurseries, or cannabiserries.

(A) All recreational cannabis shall bear certifying documentation and a chain of custody from source to final sale.

(B) Recreational cannabis-only facilities cannot operate publicly within 1,000 feet of a school, licensed daycare facility, public playground, or nonprofit youth facility.

(C) Recreational cannabis delivery services are strictly prohibited.

(D) Recreational cannabis shall only be sold, distributed, processed, or handled in any manner by adults age 21 years and older.

(E) No person under the age of 21 is allowed to enter the operating premises of recreational cannabis-only facilities unless performing under the direction of the state or law enforcement pursuant to §11362.3(j).

(F) Recreational cannabis edibles shall be produced in a state licensed kitchen. No individual or individually packaged cannabis edible shall contain more than 100 mg. of tetrahydrocannabinol (THC). All cannabis edibles shall be easily segmented into 10 mg. or smaller doses.

(G) Alcohol or alcoholic beverages are prohibited from being sold, distributed, or consumed on the premise of any recreational cannabis-only facility. On-sale alcohol is prohibited wherever on-sale cannabis is sold.

(H) Public recreational cannabis facilities are prohibited from selling, dispensing, or otherwise administering recreational cannabis between the hours of 2:00 a.m. and 6:00 a.m., analogous with alcohol.

(I) Recreational cannabis smoking, vaporization, or combustion is prohibited in public except for in outdoor designated areas on the premises of recreational cannabis-only facilities analogous with the smoking section model adopted by the State of California regarding tobacco.

(J) All recreational cannabis facilities shall have scales certified and audited by the California Division of Measurement Standards.

(K) Recreational cannabis shall not be packaged to resemble non-cannabis products currently available on the market or in a manner that is deemed to intentionally encourage use by minors.

(L) Advertising recreational cannabis in a manner deemed appealing to minors is strictly prohibited.

(M) All recreational cannabis products shall be sold in child-resistant containers bearing standardized labeling that includes the following information:

(i) "Contains Recreational Cannabis."

(ii) "Not to be distributed to minors."

(iii) "Not for resale."

(iv) "Do not combine with alcohol or pharmaceuticals."

(v) "Do not drive or operate heavy machinery after use."

(vi) "Effects can occur immediately or up to two hours after use."

(vii) "Keep away from children and pets."

(viii) Total milligrams of THC, THCa, CBD, CBDa, CBN, and THCV

measured by a cannabis testing facility.

(N) In addition to the requirements outlined in §11362.3(f)(5)(M), recreational cannabis edibles labels shall include:

- (i) "Not a food."
- (ii) Date of manufacture.
- (iii) Date of expiration.
- (iv) Nutritional information and ingredients.

(O) All recreational cannabis containers shall be prominently labeled with the state initials "CA" in black superimposed over a green cannabis leaf as a symbol signifying that the contents are recreational cannabis.

(P) Recreational cannabis shall only be cultivated, processed, or produced by facilities registered and licensed by the California Department of Food and Agriculture. The California Department of Food and Agriculture shall not create guidelines or restrictions more onerous than that of grape crops intended for wine production with the exception of outlining measures to prevent the distribution to minors and to states with prohibition laws.

(Q) All recreational cannabis shall be tested by a cannabis testing facility. The results shall be printed on all labels and packaging and shall be made available to the public either online, in-store, or both.

(R) Recreational cannabis violations are actionable and are to be pursued in accordance with the current statutes for alcohol-related violations. No penalty or fine shall be imposed on any recreational cannabis violation with greater prejudice than any alcohol violation.

(g) Any citizen of the State of California age 21 and over shall be granted the right to cultivate cannabis indoors, in a greenhouse, or outdoors for personal use granted all lease or rental contracts and all local, county, and state building and property ordinances are followed.

(1) No city, county, or local governing body including but not limited to HOA's shall impose discriminatory fees, restrictions, or zoning requirements on personal use cannabis or personal use cannabis cultivation.

(2) Personal use limits shall be drawn at five pounds of dried flowers, one pound of cannabis extracts, and three gallons of liquid cannabis extracts.

(3) Personal use gardens shall be no greater than 500 square feet per adult total combined indoor, outdoor, and greenhouse.

(4) Personal use cannabis and personal use cannabis gardens shall be made inaccessible to the public and minors by all possible and reasonable means. In order to prosecute and convict a citizen who has made personal use cannabis or a personal use cannabis garden accessible to the public or a minor, the state must prove that the cannabis directly harmed the individual.

(A) Personal use cannabis gardens shall be grown in compliance with local ordinances regarding food crops.

(B) All indoor personal use cannabis gardens shall be permitted, installed, and operated in compliance with all applicable local, county, and state building and safety codes.

(5) The exchange of live cannabis plants and viable cannabis seeds for personal use is permissible at farmers' markets analogous with and no more onerous than the guidelines established for the exchange of produce.

(h) Medical cannabis may be prescribed to any patient of any age for the treatment of any reasonable condition by a licensed physician in the State of California without fear of prosecution by authorities or persecution from licensing boards.

(1) Licensed physicians shall write prescriptions for cannabis that include type of medical cannabis, preparation or form, specific dosage, duration of treatment, and number of refills.

(2) Medical cannabis shall be administered through a licensed traditional pharmacy or a licensed medical cannabis pharmacy in a storefront location overseen by the California State Board of Pharmacy and the California Department of Public Health analogous with the restrictions established for traditional pharmacies.

(A) Medical cannabis pharmacies shall have at least one licensed pharmacist staffed at all times of operational hours. A California licensed pharmacist can dispense cannabis from a medical cannabis pharmacy or traditional pharmacy without fear of prosecution by authorities or persecution from licensing boards.

(B) All medical cannabis shall be dispensed in childproof containers.

(C) All medical cannabis shall be labeled with the following information in a standardized format:

(i) "Contains medical cannabis only to be used with a valid doctor's prescription."

(ii) "May cause dizziness, drowsiness, or impairment. Use caution when driving or operating heavy machinery."

(iii) "Do not combine with alcohol or other prescription medications unless otherwise instructed by your physician."

(iv) "Keep away from children and pets."

(v) All medical cannabis shall include test results on the label showing levels of cannabinoids including but not limited to THCa, THC, THCV, CBDa, CBD, and CBN.

(vi) All medical cannabis shall include a certificated seal on the label from a cannabis testing facility declaring that the product is free of molds, pesticides, residual solvents, and toxic fertilizer levels pursuant to §11362.3(l).

(D) All medical cannabis containers shall be prominently labeled with the state initials "CA" in black superimposed over a green balanced cross as a symbol signifying that the contents are medical cannabis.

(E) Traditional pharmacies and medical cannabis pharmacies have the option to deliver prescribed medical cannabis to patients analogous with the California State Board of Pharmacy's policy for the delivery of prescription narcotics.

(F) All medical cannabis shall be produced in a cannabis farm or facility licensed by the California Department of Food and Agriculture and the California State Board of Pharmacy to be strictly medical and bear certifying documentation and a chain of custody from source to prescription administration.

(3) From January 1, 2017 to January 1, 2022 all sales of medical cannabis shall only bear a temporary 10% implementation tax.

(A) 50% shall be distributed to the California State Board of Pharmacy.

(i) The State Board of Pharmacy shall implement a policy prohibiting cannabis to be viewed or treated under its current Federal Schedule I status.

(ii) The State Board of Pharmacy shall develop and implement specific regulations and guidelines for licensing medical cannabis pharmacies and handling, packaging, tracking, storing, purchasing, and dispensing medical cannabis.

(iii) The State Board of Pharmacy shall implement a policy allowing medical insurance carriers including Medi-Cal to cover medical cannabis in a manner analogous with other prescription medications without fear of persecution or prosecution.

(iv) The State Board of Pharmacy shall provide a final set of regulations for medical cannabis providers and patients by January 1, 2018. All state regulations shall be implemented by all medical cannabis pharmacies by January 1, 2019.

(v) In conjunction with the California Department of Food and Agriculture, the State Board of Pharmacy shall develop and implement a standards and licensing process for medical cannabis cultivation that is based on no less than the requirements for Clean Green Certification.

(B) 50% shall be distributed to the development and implementation of statewide medical cannabis education and awareness programs specifically for pharmacists, pharmacy staff, doctors, nurses, and medical healthcare professionals. These programs shall be developed by July 1, 2017. Full implementation and education shall be completed statewide by January 1, 2019.

(4) After January 1, 2022, medical cannabis shall maintain a 3% maintenance tax.

(A) 33% shall be distributed to the California State Board of Pharmacy.

(B) 33% shall be distributed to the California Department of Food and Agriculture.

(C) 33% shall be distributed to the California Department of Public Health.

(D) 1% shall be distributed to the State General Fund.

(5) Medical cannabis shall not be subject to any local, county, or state sales tax.

(i) Existing “medical marijuana dispensaries, collectives, or cooperatives” operating pursuant to §11362.5 and §11362.7-11362.83 shall by default become recreational cannabis facilities on January 1, 2017.

(1) Starting January 1, 2017, these existing establishments must collect the recreational cannabis taxes pursuant to §11362.3(f)(1), 11362.3(f)(2), and 11362.3(f)(3).

(2) If the existing establishment wishes to transition to a medical cannabis pharmacy, the establishment must pay the recreational cannabis taxes until granted a license for a medical cannabis pharmacy at which point the establishment shall collect the medical cannabis taxes pursuant to §11362.3(h)(3) and §11362.3(h)(4).

(3) All existing establishments shall be in complete compliance with The CBD Cannabis Act by January 1, 2019.

(j) Current medical cannabis patients under the age of 21 with a valid doctor’s recommendation or verification may purchase medical cannabis pursuant to §11362.5 and §11362.7-11362.83 from a recreational cannabis facility as defined by The CBD Cannabis Act until which point as a medical cannabis pharmacy has opened in the patient’s county.

(1) These sales shall bear the recreational cannabis taxes pursuant to §11362.3(f)(1), 11362.3(f)(2), and 11362.3(f)(3).

(k) Cannabis extracts shall only be made with non-toxic and non-explosive solvents and extraction methods, such as water, CO2, ethanol, or heat and pressure extraction.

(1) Producing, possessing, or selling cannabis extracts made with explosive or toxic solvents including but not limited to butane, pentane, hexane, naphtha, propane, methylbenzene, or acetone, is strictly prohibited.

(l) The California Department of Public Health shall develop and implement regulations for cannabis testing facilities.

(1) Cannabis testing facilities shall be subject to regulations outlined by the California Department of Public Health, the California State Board of Pharmacy, and the California Department of Cannabis and Alcoholic Beverage Control.

(2) The California Department of Public Health and the California Department of Cannabis and Alcoholic Beverage Control shall develop and implement standardization for recreational cannabis testing by January 1, 2018.

(3) All cannabis testing facilities shall use liquid chromatography, spectroscopy, or more accurate technology.

(4) All cannabis testing facilities shall be able to test for all known cannabinoids and terpenes.

- (5) All cannabis testing facilities shall test for microbiological contaminants.
- (6) All cannabis testing facilities shall test for pesticides.
- (7) All cannabis testing facilities shall test for residual solvents.
- (8) All cannabis testing facilities shall test for plant growth regulators and fertilizers not approved for human consumption.
- (9) All cannabis testing facilities shall report samples in violation of outlined regulations and The CBD Cannabis Act within 24 hours to the California State Board of Pharmacy or the California Department of Cannabis and Alcoholic Beverage Control for immediate investigation.

(m) Dietary cannabis shall be strictly regulated by the California Department of Food and Agriculture.

(1) Allowances and guidelines for grocery stores to sell dietary cannabis shall be made.

(A) All reasonable efforts to ensure adult-only sales of fresh dietary cannabis shall be made analogous with and no more onerous than the beer and wine model in grocery stores.

(B) All fresh dietary cannabis shall not be decarboxylated.

(C) All dietary cannabis shall be labeled as a food with a warning stating "Not for Recreational or Medical Use".

(D) All dietary cannabis shall be sold and distributed in child-resistant containers.

(E) All dietary cannabis shall be prominently labeled with the state initials "CA" in black superimposed over a green apple with a white cannabis leaf cut out of the middle as a symbol signifying that the contents are dietary cannabis.

(F) All dietary cannabis shall bear certifying documentation and a chain of custody from source to final sale.

(n) Industrial cannabis shall be regulated by the specific bodies governing the individual products.

(1) Cannabis cosmetic products shall be produced and regulated analogous with and no more onerous than the regulations outlined by the Safer Consumer Products Program, the California Department of Toxic Substances Control, Proposition 65, the Office of Environmental Health Hazard Assessment, and the California Safe Cosmetics Act.

(2) Cannabis fuels, textiles and building materials or products shall be regulated analogous with and no more onerous than the regulations outlined by the California Environmental Protection Agency, the Division of Occupational Safety and Health, and the California Department of Toxic Substances Control.

(3) All industrial cannabis shall be rendered non-consumable.

(A) The California Environmental Protection Agency shall establish, implement, and enforce environmentally safe and cost effective guidelines for rendering industrial cannabis products non-consumable by July 1, 2017.

(4) All industrial cannabis shall bear a label in a standardized format containing the following information:

(A) "Industrial cannabis product."

(B) "Not for human consumption."

(C) "Rendered non-consumable in compliance with CalEPA."

(D) For all cosmetics, the label shall also include total milligrams and percentage by volume of THC, CBD, THCV, and CBN.

(E) All industrial cannabis shall be prominently labeled with the state initials "CA" in black superimposed over two green hemp canes justified in an X as a symbol signifying that the contents are industrial cannabis.

(o) Starting January 1, 2017 all industrial cannabis and dietary cannabis shall be taxed based on weight using the California Division of Measurement Standards calibrated scales on the following breakdown to be paid upon first sale:

(1) \$5 per pound of cannabis extract.

(2) \$1 per pound of cannabis flowers dry weight.

(3) \$0.50 per pound of cannabis leaf dry weight.

(4) \$0.15 per pound of cannabis flowers wet weight.

(5) \$0.10 per pound of cannabis seed.

(6) \$0.10 per gallon of dietary cannabis oil.

(7) \$0.05 per pound of cannabis leaf wet weight.

(8) \$0.05 per pound of industrial cannabis fiber or pulp.

(9) These taxes shall be distributed as follows:

(A) 30% to the California Environmental Protection Agency.

(B) 30% to the California Division of Occupational Safety and Health.

(C) 30% to the California Department of Food and Agriculture.

(D) 10% to the California Department of Transportation's road improvements fund.

(p) All people or agencies participating in the cultivation, production, sale, transportation, or consumption of cannabis shall ensure that cannabis is neither imported nor exported between states that have laws against cannabis until which time as the federal government repeals cannabis prohibition.

(1) Legal state-to-state commerce treaties between California and any and all legal states for the purpose of regulated and taxed import-export cannabis exchange is permissible.

(q) No city, county, or local government shall ban the cultivation, sale, or use of medical cannabis, personal use cannabis, or recreational cannabis.

(1) Cities may restrict the number of licensed recreational cannabis-only facilities operating strictly within city limits based on legal reasonable necessity policies.

(A) A citizen may challenge any city's licensing restrictions based on legal reasonable necessity.

(r) No local, county, or state law enforcement agent or agency shall enforce any prohibition laws regarding cannabis.

(s) No citizen shall be denied lifesaving procedures for cannabis use including but not limited to blood transfusions and organ transplants.

(t) Public schools are prohibited from denying students access to doctor prescribed medical cannabis in a non-combustible form in compliance with California Education Codes §49423(a) and §49423(b).

(u) State-funded health classes and drug prevention programs such as DARE shall provide balanced education on the benefits of cannabis as well as any potential negatives.

(1) Cannabis shall be removed as being classified as an illegal drug and a "gateway drug" from all drug, alcohol, tobacco, and health curriculums in public schools.

(2) Any school or school personnel including but not limited to "rogue" teachers found guilty of noncompliance forfeits the school's portion of the cannabis tax revenue until they maintain compliance for two years.

(v) State, local, and county law enforcement agencies are prohibited from assisting Child Protective Services, or any other federal agency, in any dependency case action, including the removal of children, where medical cannabis is used as a determining factor.

(1) If personal use cannabis is the primary determining factor for the removal of a child from a family in a dependency case, the agency shall prove to local law enforcement prior to the removal of the child/children that cannabis directly harmed the child/children or law enforcement shall not act in support of the removal.

(w) Drug testing for cannabis metabolites is prohibited unless performed by an agent of the State in an official capacity and in compliance with The CBD Cannabis Act.

(1) Requires the State to research and establish performance-based standards for testing drivers suspected of cannabis use to determine the impairment levels for safe operation of motor vehicles by July 1, 2018.

(A) Current per-se methods including but not limited to blood, urine, hair or saliva testing for cannabinoids shall not be used to determine impairment.

(B) Cannabis odor is not considered probable cause for law enforcement to stop or search a citizen or motor vehicle.

(x) Current employment or potential employment opportunities shall not be denied based on a citizen's legal cannabis use in compliance with The CBD Cannabis Act following the same considerations given to prescription medications and alcohol use.

(y) All non-violent cannabis only offenders shall be released from all California State correctional facilities.

(1) No legal avenue exists for reparations against the State for wrongful imprisonment of such offenders.

(2) The State shall dismiss criminal records, fines, or warrants, and shall expunge records for non-violent cannabis only offenders.

(z) Clear-cutting for cannabis cultivation, either private or commercial, is strictly prohibited.

(aa) The use of river, stream, pond, reservoir, canal, aqueduct, or lake water for private or commercial cannabis cultivation unless privately owned is strictly prohibited.

(bb) Genetically modified cannabis of any type is strictly prohibited.

(cc) California cannabis is strictly prohibited on federal lands until which time as federal cannabis prohibition is repealed.

(dd) Cannabis cultivation is strictly prohibited on public lands.

(ee) All cannabis cultivated for commercial production of any sort at minimum shall follow the State Water Resources Control Board "Legal Pest Management Practices for Marijuana Growers in California" until which time as the California Environmental Protection Agency, the California Department of Food and Agriculture, and the California Department of Pesticide Regulation develop and implement pesticide and fertilizer restrictions specific to cannabis.

(1) Until guidelines are established, only the following pesticides are legally allowed for commercial cannabis cultivation:

- (A) azadirachtin
- (B) *Bacillus subtilis* QST
- (C) *Bacillus thuringiensis* subsp. *aizawai* or *kurstaki*
- (D) *Bacillus thuringiensis* subsp. *israelensis*
- (E) *Beauveria bassiana*
- (F) cinnamon oil
- (G) *Gilocladium virens*
- (H) horticultural oils (petroleum oil)
- (I) insecticidal soaps (potassium salts of fatty acids)

- (J) iron phosphate; sodium ferric EDTA
- (K) neem oil
- (L) potassium bicarbonate; sodium bicarbonate
- (M) predatory nematodes
- (N) rosemary + peppermint essential oils
- (O) sulfur
- (P) *Trichoderma harzianum*

(2) The California Environmental Protection Agency, the California Department of Pesticide Regulation, and the California Department of Food and Agriculture have until July 1, 2017 to develop, implement, and enforce fertilizer and pesticide restrictions specific to all commercial cannabis cultivation.