

Date: April 8, 2008
Initiative No.: 08-0009

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

MARIJUANA LEGALIZATION. INDIVIDUAL RIGHTS. CONSTITUTIONAL

AMENDMENT. Amends constitution to legalize marijuana and hemp within California and to provide for broad individual constitutional rights, including rights to food, shelter, medical care, and to be free from “unreasonable” taxation. Allows marijuana to be sold in any store that sells alcohol. Establishes local boards with expansive powers, including powers to regulate and tax marijuana. Requires marijuana tax revenues support specified programs. Exempts marijuana sales profits from income tax. Forbids most testing for marijuana used outside the workplace. Prohibits most marijuana, alcohol, and tobacco advertisements. Immunizes marijuana growers and sellers from liability. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Potential savings of up to several tens of millions of dollars annually to state and local governments, which would no longer incur the costs of incarcerating and supervising certain marijuana offenders. Potential costs of up to the tens of millions of dollars to state and local governments to fund the one-time start-up costs of the local boards. A potentially significant increase in state and local spending on substance abuse treatment services that could possibly be partially or fully offset by revenues from this measure. Potential increased revenues in the tens of millions to low hundreds of millions of dollars annually from marijuana stamps and licenses to support specified programs and the local boards. Unknown but potentially significant increase in state and local revenues from collection of sales and use taxes on the sale of Marijuana. Unknown but potentially significant decrease in state and local revenues from taxes on tobacco and alcohol due to a prohibition of advertising for these goods that would likely result in a decline in sales. (Initiative 08-0009.)