

CALIFORNIA'S MEDICAL CANNABIS REGULATION AND SAFETY ACT

NEW STATE MEDICAL CANNABIS LAWS

In 2015, Governor Brown signed legislation that established California's first regulatory framework for the medical cannabis industry.

The Medical Cannabis Regulation and Safety Act (Act) provides for licenses to be issued by three licensing authorities: the Bureau of Medical Cannabis Regulation (BMCR), California Department of Food and Agriculture (CDFA), and California Department of Public Health (CDPH). The licensing authorities are responsible for developing the regulations and rules regarding state licensing under the new laws (see "State Administrative Structure: Licensing Authorities" below). In addition to the licensing authorities, there are many state entities that will assist in implementation of the Act, including the Department of Pesticide Regulation, Board of Equalization, State Water Resources Control Board, Division of Occupational Safety and Health, Department of Justice, and Department of Fish and Wildlife.

STATE ADMINISTRATIVE STRUCTURE: LICENSING AUTHORITIES

Bureau of Medical Cannabis Regulation (lead entity)

Department of Consumer Affairs

- Dispensaries
- Transporters
- Distributors
- Testing

Medical Cannabis Cultivation Program (MCCP)

Department of Food and Agriculture

- Cultivation

Office of Medical Cannabis Safety

Department of Public Health

- Manufacturing



HIGHLIGHTS OF THE ACT

Dual Licensure. Under the Act, all commercial medical cannabis activity requires both a state license and local approval through a license, permit, or other authorization. Local approval will be authorized by local governments. The state licensing authorities are currently drafting regulations for state licenses. All businesses must have local approval prior to applying for state licensure.

Patients and Primary Caregivers. A qualified patient who cultivates, possesses, processes, or transports medical cannabis exclusively for his or her personal medical use is not required to get a license. Primary caregivers who provide care to five or fewer medical cannabis patients are also not required to be licensed if they are compliant with the Act.

Track and Trace. All medical cannabis and medical cannabis products will be tracked through the product's life cycle, from the original plant to the final retail site. The Act charges CDFA with the responsibility of implementing a track and trace program for the state.

Research. The Center for Medicinal Cannabis Research at the University of California, San Diego, is conducting a study on the effects of cannabis consumption on motor skills.

Grants for Local Agencies.

The Act provides for the establishment of a grant program to help local agencies enforce state and local laws upon full implementation of the Act.

Phase-out of Collective

Model. The state collective or cooperative model that residents are currently operating under will be phased out one year after applications are being accepted by BMCR.

