Seed to Sale: A Guide to Regulating Cannabis in California Cities

Lisa A. Vidra
Senior Deputy City Attorney, Culver City

Emilio Camacho
Senior Deputy City Attorney, City of Sacramento

Cannabis Regulation Committee

• Guide has been the Committee’s major project (almost 2 years)
14 Current Committee Members

• Lauren Langer (Chair)
• Jennifer Mizrahi
• Beverly Roxas
• Tarquin Preziosi
• Bill Seligmann
• Denise Bazzano
• Steven Itagaki

• Alexandra Atencio
• Michelle Garland
• Lisa Vidra
• John Le
• Brandon Sanchez
• Amadis Sotelo
• Emilio Camacho

Structure of the Guide

• Comprehensive Table of Contents
• Introduction & Overview
• Regulatory Framework
• Regulating Cannabis in Cities
• Finance and Taxation
• Enforcement Tools: Civil, Criminal and Administrative
• Appendix: Criminal Enforcement of Misdemeanors
• Glossary
In the beginning...

- Federal Law
  - Early 1900s Requirements & Taxation
  - Controlled Substances Act (1970)
- California Law
  - Voters adopted the Compassionate Use Act (1996)
  - Precedent-setting case law supporting local regulation

California’s Cannabis Framework

- Voters Approved CUA – Prop 215 (1996)
- Voters Approved AUMA – Prop. 64 (2016): Regulation and Licensing
- MAUCRSA (2017 budget trailer bill)
- AB 141 Consolidation of Programs: DCC created (July 2021)
Example of City Regulation of Commercial Cannabis Activity

- Local Authorization
  - Conditional Use Permit (CUP)
  - Business Operations Permit (BOP)
  - Business Operations Tax Acct. (BOT)

- State requirements
  - State License
  - State Tax Permit

Hot Topics in Enforcement

- Criminal
- Forfeiture
- Administrative Penalties
- Drug Abatement lawsuit
  - Preemption
  - Double Jeopardy
  - Due Process Issues
  - Excessive Fines
  - Appellate Jurisdiction
Other Areas in Cannabis Regulation

- Personal Conduct
- Taxation
- Banking

Any questions?