



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL:

Ken Stripling

DATE: April 9, 2019

SUBJECT: STATE LEGISLATION: ASSEMBLY BILL 1530

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council adopt the City Council Legislative Committee recommendation to support Assembly Bill 1530 (Cooley) and transmit position statements to Assembly Member Cooley, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Newsom, and the League of California Cities.

BACKGROUND

Authored by Assembly Member Ken Cooley (D-8-Rancho Cordova), Assembly Bill 1530 authorizes a local agency the authority to regulate the delivery of cannabis or cannabis products within its jurisdictional boundaries.

On April 10, 2018, the Santa Clarita City Council adopted an ordinance on local cannabis regulations, in accordance with Proposition 64 (2016), including prohibiting the delivery of cannabis within City of Santa Clarita (City) limits. The City ordinance was adopted after three public meetings were conducted on the issue where members of the public and other stakeholders, local business owners, the City's Planning Commission and the City Council were given the opportunity to review and comment on the ordinance.

On January 16, 2019, the Bureau of Cannabis Control (BCC) implemented new regulations, including preemption of local authority related to the delivery of cannabis. Specifically, the new regulations adopted by the BCC restrict local regulations on cannabis deliveries and allow for any licensed cannabis retailer to deliver cannabis anywhere in the state. As a result, a licensed retailer in another jurisdiction could deliver cannabis to locations within Santa Clarita.

The City submitted two comment letters during the BCC public outreach period in August 2018 and October 2018, opposing the proposed regulations and expressing the importance of preserving local authority over the delivery of cannabis, as written in Proposition 64 (2016).

In an effort to challenge the recent delivery regulations adopted by the BCC, some local municipalities have advised their attorneys to pursue legal action against the BCC. The League of California Cities supports the efforts made by local municipalities in challenging the BCC regulations and has directed its legal counsel to assist in advising the legal group challenging the BCC.

Assembly Bill 1530 reinstates local authority over the regulation of the delivery of cannabis. This bill returns the authority of cannabis deliveries, as California voters were assured in Proposition 64 (2016), to local governments. Additionally, this bill would allow for local governments to adopt an ordinance or resolution that permits, restricts, limits, or bans the delivery of cannabis or cannabis products to a location within its jurisdictional boundaries.

The City of Santa Clarita 2019 Legislative Platform includes components related to preserving local authority over the regulation of cannabis. Specifically, component 5 under the “State” section of the Legislative Platform advises that the City Council, “Oppose legislation or regulatory action that seeks to limit or eliminate municipal authority to regulate or ban commercial growing, processing, licensing, sale or transport of cannabis or cannabis products for recreational or medical use.”

Assembly Bill 1530 was introduced on February 22, 2019, and referred to the Assembly Committee on Business and Professions.

The City Council Legislative Committee met on March 26, 2019, and recommends that the City Council adopt a “support” position on Assembly 1530.

ALTERNATIVE ACTION

1. Adopt a “neutral” position on Assembly Bill 1530
2. Adopt an “oppose” position on Assembly Bill 1530
3. Take no action on Assembly Bill 1530
4. Refer Assembly Bill 1530 back to the Legislative Committee
5. Other action, as determined by the City Council

FISCAL IMPACT

The resources required to implement the recommended action are contained within the City of Santa Clarita's adopted Fiscal Year 2018-19 budget.

ATTACHMENTS

Assembly Bill 1530 Bill Text