

COUNTY OF EL DORADO

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April 18, 2023

The Honorable Greg Wallis
California State Assembly
1021 O Street, Suite 4330
Sacramento, CA 95814

RE: AB 1448 (Wallis) – Cannabis: Enforcement by Local Jurisdictions – SUPPORT

Dear Assembly Member Wallis,

On behalf of the County of El Dorado Board of Supervisors, we write to express our strong support for Assembly Bill 1448, which would enhance local enforcement mechanisms against unlicensed cannabis activities.

El Dorado County has been especially impacted by illicit cannabis operations with the shooting death of one of its Sheriff Deputies during what started as a routine call for assistance. This tragedy illustrates the commonality amongst local jurisdictions that have sanctioned commercial cannabis activities or restrict such operations, which is the overwhelming enforcement needed to combat unlicensed cannabis activities. Local law enforcement agencies and code enforcement struggle to effectively deter illicit cannabis operators who sidestep regulations and undermine the health and safety of residents and our regulated cannabis businesses. Enhanced tools at the local level are needed to combat this highly lucrative and harmful unlawful activity.

AB 1448 would provide effectual tools at the local level to act against persons that have aided and abetted unlicensed cannabis activity by allowing 1) local jurisdictions to set up penalty processes and issue administrative fines; 2) streamlining appeals and judicial review; and 3) facilitating collection of final penalties through lien mechanisms.

AB 1448 also incentivizes local jurisdictions to use the statutory penalties for unlicensed cannabis activities by revising Business and Professions Code 26038 to authorize the recovery of penalties through local administrative processes. In addition, AB 1448 allows a 50/50 state-local split of the statutory penalties recovered in actions brought by local jurisdictions, as originally enacted by the Legislature in the Medical Cannabis Regulation and Safety Act (MCRSA). Revenues from these actions will provide a much-needed source of funds to reinvest in illicit cannabis enforcement.

Local jurisdictions are a critical partner to successfully regulate the commercial cannabis marketplace. AB 1448 will bolster safe access to the cannabis market by targeting enforcement against unlawful operators that undermine the legal marketplace and undercut local economies.

For these reasons, we are pleased to support AB 1448.

Sincerely,

Wendy Thomas
Chair, El Dorado County Board of Supervisors