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Date: March 19, 2018

To: City Council

From: Councilmember Kaplan

Re: Resolution In Support Of Assembly Bill 2020 (Quirk), Which Would Allow Local Governments To Decide Where And How To Authorize Cannabis Sales And Consumption At Special Events

Dear Colleagues on the City Council and Members of the Public,

In 2016, California voters passed Proposition 64, the “California Marijuana Legalization Initiative,” which legalized recreational marijuana under state law for persons aged 21 years or older. Since then, the cannabis industry in California has already seen major growth, but there are still steps that need to be taken in order to ensure that local communities, small business owners, and others can take full advantage of this new economic opportunity.

For example, under current law, the permitting of cannabis sales at special events is limited. Despite the fiscal and communal benefits such events bring to a city or local community, current law prohibits local governments from approving applications for cannabis sales at special events if they are held anywhere but county property. Assembly Bill 2020 seeks to remedy this, by allowing local governments to decide where and how to authorize cannabis sales and consumption at special events.

For this reason, we are introducing this Resolution in support of Assembly Bill 2020, which will allow us to partner with the State, while maintaining local control over permitting and public safety. We urge you to support this Resolution, which will be heard at the Rules and Legislation Committee meeting on April 12, 2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Rebecca Kaplan'.

Councilmember At-Large Rebecca Kaplan

FILED
OFFICE OF THE CITY CLERK
OAKLAND

18 MAR 19 PM 3:30

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER REBECCA KAPLAN

**RESOLUTION IN SUPPORT OF ASSEMBLY BILL 2020 (QUIRK), WHICH
WOULD ALLOW LOCAL GOVERNMENTS TO DECIDE WHERE AND
HOW TO AUTHORIZE CANNABIS SALES AND CONSUMPTION AT
TEMPORARY EVENTS**

WHEREAS, Proposition 64, the California Marijuana Legalization Initiative, was passed by a majority vote of the people in the State of California on November 8, 2016; and

WHEREAS, in the State of California, the adult-use retail sale of cannabis was implemented on January 1, 2018; and

WHEREAS, since then, the cannabis industry in California has already seen major growth, but there are still steps that need to be taken in order to ensure this industry will remain a strong and competitive enterprise in California, and make certain that local communities, small business owners, and others can take full advantage of this new economic opportunity; and

WHEREAS, under current law, the permitting of cannabis sales at temporary events is limited. Despite the fiscal and communal benefits such events bring to a city or local community, current law prohibits local governments from approving applications for cannabis sales at temporary events if they are held anywhere but a county fair or a district agricultural association event; and

WHEREAS, Assembly Member Quirk's office has heard from several cities that wish to allow for the use and sale of cannabis at temporary special events, but are restricted from approving these special permits; and

WHEREAS, the Bureau of Cannabis Control Chief Lori Ajax has reported that the public is clamoring for a range of cannabis event experiences; and

WHEREAS, Assembly Bill 2020 (AB 2020) provides a common sense, local control solution to this problem. Specifically, this bill allows local governments to grant a temporary license to allow for the purchase and consumption of cannabis at a temporary event held at a venue expressly permitted by a local jurisdiction; and

WHEREAS, by making this simple, minor change it will give greater opportunities to small businesses and allow cities to secure much needed revenue, while firmly maintaining local control and public safety; and

WHEREAS, Assembly Member Quirk says the bill “will be a great partnership with local governments – it retains local control and includes mechanisms to ensure public safety”; now, therefore, be it

RESOLVED, That the Oakland City Council hereby endorses Assembly Bill 2020 and urges California State Legislature and Governor Jerry Brown to support its enactment into law.

COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES –BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB,
KAPLAN AND PRESIDENT REID

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

18 MAR 19 PM 3:36

Date: March 19, 2018

Bill Number: Assembly Bill 2020

Bill Author: Quirk

CITY OF OAKLAND

BILL ANALYSIS



DEPARTMENT INFORMATION

Contact: John Knight and Laura Holtan
Department: City Council: Kaplan
Telephone: X7083

RECOMMENDED POSITION: SUPPORT

Summary of the Bill

The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities. MAUCRSA authorizes an applicant to apply to all applicable state licensing authorities to obtain a state license to engage in commercial adult-use cannabis activity, and requires the applicant to obtain a separate license for each location where here engages in state in commercial cannabis activity.

MAUCRSA authorizes a state licensing authority to issue a state temporary event license to a licensee authorizing onsite cannabis sales to, and consumption by, persons 21 years of age or older at a county fair or district agricultural association event, provided that certain other requirements are met.

This bill would authorize a local jurisdiction to apply for a temporary event license, and would generally require that local jurisdiction to comply with all existing licensure requirements that apply to any other applicant, except for specified provisions relating to background checks and prior convictions. The bill would also authorize a state temporary event license to be issued to a licensee for an event to be held at any other venue expressly approved by the local jurisdiction for events, as described.

Positive Factors for Oakland

Under current law, the permitting of cannabis sales at special events is limited. Despite the fiscal and communal benefits such events bring to the City of Oakland, current law prohibits local governments from approving applications for cannabis sales at special events if they are held anywhere but county property.

Item: _____

Rules & Legislation Comte.

April 12, 2018

The City of Oakland is a leader in cannabis development. The current regulations state these events can only take place at county fairgrounds. By making this simple, minor change it will give greater opportunities to small businesses and the City of Oakland to secure much needed revenue, while firmly maintaining local control and public safety.

Negative Factors for Oakland

None.

PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:

- Critical** (top priority for City lobbyist, city position required ASAP)
- Very Important** (priority for City lobbyist, city position necessary)
- Somewhat Important** (City position desirable if time and resources are available)
- Minimal or** **None** (do not review with City Council, position not required)

Known support:

California Growers Association
California NORML

Known Opposition:

N/A

Attach bill text and state/federal legislative committee analysis, if available.

Respectfully Submitted,



Councilmember At-Large Kaplan

Approved for Forwarding to Rules Committee

Office of City Administrator

Item: _____
Rules & Legislation Comte.
April 12, 2018



BACKGROUND

In November 2016, voters passed Proposition 64, also known as the Adult Use of Marijuana Act (AUMA), to allow Californians age 21 and over to purchase and consume cannabis recreationally. Since then, the cannabis industry in California has already seen major growth, and is expected to bring billions of dollars of new revenue to the state over the coming years. However, there are still steps that need to be taken in order to ensure this budding industry will remain a strong and competitive enterprise in California, and make certain that local communities, small business owners, and others can take full advantage of this new economic opportunity.

EXISTING LAW

Business and Professions Code §26200, allows for the issuance of a temporary event license to authorize onsite cannabis sales to persons 21 and older, so long as that temporary event is a county fair event or a district agricultural association event.

PROBLEM

Under current law, the permitting of cannabis sales at special events is limited. Event organizers have applied for special permits to sell cannabis at events such as music festivals, only to have the application rejected because of limitations placed on local governments. Despite the fiscal and communal benefits such events bring to a city or local community, current law prohibits local governments from approving applications for cannabis sales at special events if they are held anywhere but county property. Furthermore, under current law, local jurisdictions themselves cannot apply for a temporary sales license for their own event.

SOLUTION

AB 2020 provides a common sense, local control solution to this problem. Specifically, this bill allows local governments to grant a temporary license to allow for the purchase and consumption of cannabis at a special event held at a venue expressly permitted by a local jurisdiction.

Furthermore, AB 2020 authorizes local jurisdictions to apply for such licenses, allowing for cannabis sales at special events put on by the city.

This bill helps cities maintain local control, allows for more opportunities for small businesses, maintains critical public safety input, and allows an emerging industry the same opportunities granted to others.

SUPPORT

- City of Oakland (sponsor)
- California Growers Association
- Sierra Gold Extracts, LLC
- Abracadabs
- Noise Pop Industries
- Northern Nights Music Group
- Santa Cruz Music Festival
- Cura Cannabis Solutions
- WeDrop

FOR MORE INFORMATION

Eddie Franco, *Assembly Fellow*
(916) 319-2020
Eddie.Franco@asm.ca.gov

ASSEMBLY BILL

No. 2020

Introduced by Assembly Member Quirk

February 5, 2018

An act to amend Sections 26001 and 26200 of the Business and Professions Code, relating to cannabis.

LEGISLATIVE COUNSEL'S DIGEST

AB 2020, as introduced, Quirk. Cannabis: local jurisdiction licensees: temporary event permits.

The Control, Regulate and Tax Adult Use of Marijuana Act of 2016 (AUMA), an initiative measure approved as Proposition 64 at the November 8, 2016, statewide general election, authorizes a person who obtains a state license under AUMA to engage in commercial adult-use cannabis activity pursuant to that license and applicable local ordinances. The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities. MAUCRSA authorizes an applicant to apply to all applicable state licensing authorities to obtain a state license to engage in commercial adult-use cannabis activity, and requires the applicant to obtain a separate license for each location where here engages in state in commercial cannabis activity. MAUCRSA defines the term applicant to mean an owner applying for a state license.

MAUCRSA authorizes a state licensing authority to issue a state temporary event license to a licensee authorizing onsite cannabis sales to, and consumption by, persons 21 years of age or older at a county fair or district agricultural association event, provided that certain other requirements are met.

This bill would authorize a local jurisdiction to apply for a temporary event license, and would generally require that local jurisdiction to comply with all existing licensure requirements that apply to any other applicant, except for specified provisions relating to background checks and prior convictions. The bill would also authorize a state temporary event license to be issued to a licensee for an event to be held at any other venue expressly approved by the local jurisdiction for events, as described.

The Control, Regulate and Tax Adult Use of Marijuana Act, an initiative measure, authorizes the Legislature to amend the act to further the purposes and intent of the act with a 2/3 vote of the membership of both houses of the Legislature.

This bill would declare that its provisions further specified purposes and intent of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 26001 of the Business and Professions
2 Code is amended to read:

3 26001. For purposes of this division, the following definitions
4 shall apply:

5 (a) "A-license" means a state license issued under this division
6 for cannabis or cannabis products that are intended for adults who
7 are 21 years of age and older and who do not possess a physician's
8 recommendation.

9 (b) "A-licensee" means any person holding a license under this
10 division for cannabis or cannabis products that are intended for
11 adults who are 21 years of age and older and who do not possess
12 a physician's recommendation.

13 (c) (1) "Applicant" means an owner applying for a state license
14 pursuant to this division.

15 (2) *The term "applicant" also includes a local jurisdiction for*
16 *the purpose of operating a temporary event license pursuant to*
17 *subdivision (e) of Section 26200. A local jurisdiction applying for*
18 *a temporary event license pursuant to that section shall comply*
19 *with all requirements that apply to applicants under this division,*
20 *except for the background check requirements described in*
21 *paragraph (1) of subdivision (a) of Section 26051.5 and denials*

1 *of a license based on a prior conviction of the applicant described*
2 *in paragraph (4) of subdivision (b) of Section 26057.*

3 (d) "Batch" means a specific quantity of homogeneous cannabis
4 or cannabis product that is one of the following types:

5 (1) Harvest batch. "Harvest batch" means a specifically
6 identified quantity of dried flower or trim, leaves, and other
7 cannabis plant matter that is uniform in strain, harvested at the
8 same time, and, if applicable, cultivated using the same pesticides
9 and other agricultural chemicals, and harvested at the same time.

10 (2) Manufactured cannabis batch. "Manufactured cannabis
11 batch" means either of the following:

12 (A) An amount of cannabis concentrate or extract that is
13 produced in one production cycle using the same extraction
14 methods and standard operating procedures.

15 (B) An amount of a type of manufactured cannabis produced
16 in one production cycle using the same formulation and standard
17 operating procedures.

18 (e) "Bureau" means the Bureau of Cannabis Control within the
19 Department of Consumer Affairs, formerly named the Bureau of
20 Marijuana Control, the Bureau of Medical Cannabis Regulation,
21 and the Bureau of Medical Marijuana Regulation.

22 (f) "Cannabis" means all parts of the plant *Cannabis sativa*
23 *Linnaeus*, *Cannabis indica*, or *Cannabis ruderalis*, whether growing
24 or not; the seeds thereof; the resin, whether crude or purified,
25 extracted from any part of the plant; and every compound,
26 manufacture, salt, derivative, mixture, or preparation of the plant,
27 its seeds, or resin. "Cannabis" also means the separated resin,
28 whether crude or purified, obtained from cannabis. "Cannabis"
29 does not include the mature stalks of the plant, fiber produced from
30 the stalks, oil or cake made from the seeds of the plant, any other
31 compound, manufacture, salt, derivative, mixture, or preparation
32 of the mature stalks (except the resin extracted therefrom), fiber,
33 oil, or cake, or the sterilized seed of the plant which is incapable
34 of germination. For the purpose of this division, "cannabis" does
35 not mean "industrial hemp" as defined by Section 11018.5 of the
36 Health and Safety Code.

37 (g) "Cannabis accessories" has the same meaning as in Section
38 11018.2 of the Health and Safety Code.

39 (h) "Cannabis concentrate" means cannabis that has undergone
40 a process to concentrate one or more active cannabinoids, thereby

- 1 increasing the product's potency. Resin from granular trichomes
2 from a cannabis plant is a concentrate for purposes of this division.
3 A cannabis concentrate is not considered food, as defined by
4 Section 109935 of the Health and Safety Code, or a drug, as defined
5 by Section 109925 of the Health and Safety Code.
- 6 (i) "Cannabis products" has the same meaning as in Section
7 11018.1 of the Health and Safety Code.
- 8 (j) "Child resistant" means designed or constructed to be
9 significantly difficult for children under five years of age to open,
10 and not difficult for normal adults to use properly.
- 11 (k) "Commercial cannabis activity" includes the cultivation,
12 possession, manufacture, distribution, processing, storing,
13 laboratory testing, packaging, labeling, transportation, delivery or
14 sale of cannabis and cannabis products as provided for in this
15 division.
- 16 (l) "Cultivation" means any activity involving the planting,
17 growing, harvesting, drying, curing, grading, or trimming of
18 cannabis.
- 19 (m) "Cultivation site" means a location where cannabis is
20 planted, grown, harvested, dried, cured, graded, or trimmed, or a
21 location where any combination of those activities occurs.
- 22 (n) "Customer" means a natural person 21 years of age or older
23 or a natural person 18 years of age or older who possesses a
24 physician's recommendation, or a primary caregiver.
- 25 (o) "Day care center" has the same meaning as in Section
26 1596.76 of the Health and Safety Code.
- 27 (p) "Delivery" means the commercial transfer of cannabis or
28 cannabis products to a customer. "Delivery" also includes the use
29 by a retailer of any technology platform.
- 30 (q) "Director" means the Director of Consumer Affairs.
- 31 (r) "Distribution" means the procurement, sale, and transport
32 of cannabis and cannabis products between licensees.
- 33 (s) "Dried flower" means all dead cannabis that has been
34 harvested, dried, cured, or otherwise processed, excluding leaves
35 and stems.
- 36 (t) "Edible cannabis product" means cannabis product that is
37 intended to be used, in whole or in part, for human consumption,
38 including, but not limited to, chewing gum, but excluding products
39 set forth in Division 15 (commencing with Section 32501) of the
40 Food and Agricultural Code. An edible cannabis product is not

1 considered food, as defined by Section 109935 of the Health and
2 Safety Code, or a drug, as defined by Section 109925 of the Health
3 and Safety Code.

4 (u) “Fund” means the Cannabis Control Fund established
5 pursuant to Section 26210.

6 (v) “Kind” means applicable type or designation regarding a
7 particular cannabis variant or cannabis product type, including,
8 but not limited to, strain name or other grower trademark, or
9 growing area designation.

10 (w) “Labeling” means any label or other written, printed, or
11 graphic matter upon a cannabis product, upon its container or
12 wrapper, or that accompanies any cannabis product.

13 (x) “Labor peace agreement” means an agreement between a
14 licensee and any bona fide labor organization that, at a minimum,
15 protects the state’s proprietary interests by prohibiting labor
16 organizations and members from engaging in picketing, work
17 stoppages, boycotts, and any other economic interference with the
18 applicant’s business. This agreement means that the applicant has
19 agreed not to disrupt efforts by the bona fide labor organization
20 to communicate with, and attempt to organize and represent, the
21 applicant’s employees. The agreement shall provide a bona fide
22 labor organization access at reasonable times to areas in which the
23 applicant’s employees work, for the purpose of meeting with
24 employees to discuss their right to representation, employment
25 rights under state law, and terms and conditions of employment.
26 This type of agreement shall not mandate a particular method of
27 election or certification of the bona fide labor organization.

28 (y) “License” means a state license issued under this division,
29 and includes both an A-license and an M-license, as well as a
30 testing laboratory license.

31 (z) “Licensee” means any person holding a license under this
32 division, regardless of whether the license held is an A-license or
33 an M-license, and includes the holder of a testing laboratory
34 license.

35 (aa) “Licensing authority” means the state agency responsible
36 for the issuance, renewal, or reinstatement of the license, or the
37 state agency authorized to take disciplinary action against the
38 licensee.

39 (ab) “Live plants” means living cannabis flowers and plants,
40 including seeds, immature plants, and vegetative stage plants.

- 1 (ac) “Local jurisdiction” means a city, county, or city and
2 county.
- 3 (ad) “Lot” means a batch or a specifically identified portion of
4 a batch.
- 5 (ae) “M-license” means a state license issued under this division
6 for commercial cannabis activity involving medicinal cannabis.
- 7 (af) “M-licensee” means any person holding a license under
8 this division for commercial cannabis activity involving medicinal
9 cannabis.
- 10 (ag) “Manufacture” means to compound, blend, extract, infuse,
11 or otherwise make or prepare a cannabis product.
- 12 (ah) “Manufacturer” means a licensee that conducts the
13 production, preparation, propagation, or compounding of cannabis
14 or cannabis products either directly or indirectly or by extraction
15 methods, or independently by means of chemical synthesis, or by
16 a combination of extraction and chemical synthesis at a fixed
17 location that packages or repackages cannabis or cannabis products
18 or labels or relabels its container.
- 19 (ai) “Medicinal cannabis” or “medicinal cannabis product”
20 means cannabis or a cannabis product, respectively, intended to
21 be sold for use pursuant to the Compassionate Use Act of 1996
22 (Proposition 215), found at Section 11362.5 of the Health and
23 Safety Code, by a medicinal cannabis patient in California who
24 possesses a physician’s recommendation.
- 25 (aj) “Nursery” means a licensee that produces only clones,
26 immature plants, seeds, and other agricultural products used
27 specifically for the propagation and cultivation of cannabis.
- 28 (ak) “Operation” means any act for which licensure is required
29 under the provisions of this division, or any commercial transfer
30 of cannabis or cannabis products.
- 31 (al) “Owner” means any of the following:
- 32 (1) A person with an aggregate ownership interest of 20 percent
33 or more in the person applying for a license or a licensee, unless
34 the interest is solely a security, lien, or encumbrance.
- 35 (2) The chief executive officer of a nonprofit or other entity.
- 36 (3) A member of the board of directors of a nonprofit.
- 37 (4) An individual who will be participating in the direction,
38 control, or management of the person applying for a license.
- 39 (am) “Package” means any container or receptacle used for
40 holding cannabis or cannabis products.

1 (an) "Person" includes any individual, firm, partnership, joint
2 venture, association, corporation, limited liability company, estate,
3 trust, business trust, receiver, syndicate, or any other group or
4 combination acting as a unit, and the plural as well as the singular.

5 (ao) "Physician's recommendation" means a recommendation
6 by a physician and surgeon that a patient use cannabis provided
7 in accordance with the Compassionate Use Act of 1996
8 (Proposition 215), found at Section 11362.5 of the Health and
9 Safety Code.

10 (ap) "Premises" means the designated structure or structures
11 and land specified in the application that is owned, leased, or
12 otherwise held under the control of the applicant or licensee where
13 the commercial cannabis activity will be or is conducted. The
14 premises shall be a contiguous area and shall only be occupied by
15 one licensee.

16 (aq) "Primary caregiver" has the same meaning as in Section
17 11362.7 of the Health and Safety Code.

18 (ar) "Purchaser" means the customer who is engaged in a
19 transaction with a licensee for purposes of obtaining cannabis or
20 cannabis products.

21 (as) "Sell," "sale," and "to sell" include any transaction whereby,
22 for any consideration, title to cannabis or cannabis products is
23 transferred from one person to another, and includes the delivery
24 of cannabis or cannabis products pursuant to an order placed for
25 the purchase of the same and soliciting or receiving an order for
26 the same, but does not include the return of cannabis or cannabis
27 products by a licensee to the licensee from whom the cannabis or
28 cannabis product was purchased.

29 (at) "Testing laboratory" means a laboratory, facility, or entity
30 in the state that offers or performs tests of cannabis or cannabis
31 products and that is both of the following:

32 (1) Accredited by an accrediting body that is independent from
33 all other persons involved in commercial cannabis activity in the
34 state.

35 (2) Licensed by the bureau.

36 (au) "Unique identifier" means an alphanumeric code or
37 designation used for reference to a specific plant on a licensed
38 premises and any cannabis or cannabis product derived or
39 manufactured from that plant.

1 (av) “Youth center” has the same meaning as in Section 11353.1
2 of the Health and Safety Code.

3 SEC. 2. Section 26200 of the Business and Professions Code
4 is amended to read:

5 26200. (a) (1) This division shall not be interpreted to
6 supersede or limit the authority of a local jurisdiction to adopt and
7 enforce local ordinances to regulate businesses licensed under this
8 division, including, but not limited to, local zoning and land use
9 requirements, business license requirements, and requirements
10 related to reducing exposure to secondhand smoke, or to completely
11 prohibit the establishment or operation of one or more types of
12 businesses licensed under this division within the local jurisdiction.

13 (2) This division shall not be interpreted to supersede or limit
14 existing local authority for law enforcement activity, enforcement
15 of local zoning requirements or local ordinances, or enforcement
16 of local license, permit, or other authorization requirements.

17 (b) This division shall not be interpreted to require a licensing
18 authority to undertake local law enforcement responsibilities,
19 enforce local zoning requirements, or enforce local licensing,
20 permitting, or other authorization requirements.

21 (c) A local jurisdiction shall notify the bureau upon revocation
22 of any local license, permit, or authorization for a licensee to
23 engage in commercial cannabis activity within the local
24 jurisdiction. Within 10 days of notification, the bureau shall inform
25 the relevant licensing authorities. Within 60 days of being so
26 informed by the bureau, the relevant licensing authorities shall
27 begin the process to determine whether a license issued to the
28 licensee should be suspended or revoked pursuant to Chapter 3
29 (commencing with Section 26030).

30 (d) For facilities issued a state license that are located within
31 the incorporated area of a city, the city shall have full power and
32 authority to enforce this division and the regulations promulgated
33 by the bureau or any licensing authority, if delegated by the state.
34 Notwithstanding Sections 101375, 101400, and 101405 of the
35 Health and Safety Code or any contract entered into pursuant
36 thereto, or any other law, the city shall assume complete
37 responsibility for any regulatory function pursuant to this division
38 within the city limits that would otherwise be performed by the
39 county or any county officer or employee, including a county
40 health officer, without liability, cost, or expense to the county.

1 (e) This division does not prohibit the issuance of a state
2 temporary event license to a licensee authorizing onsite cannabis
3 sales to, and consumption by, persons 21 years of age or older at
4 a county fair or fair event, district agricultural association event,
5 or at another venue expressly approved by a local jurisdiction for
6 the purpose of holding temporary events of this nature, provided
7 that the activities, at a minimum, comply with the requirements
8 of paragraphs (1) to (3), inclusive, of subdivision (g), that all
9 participants are licensed under this division, and that the activities
10 are otherwise consistent with regulations promulgated and adopted
11 by the bureau governing state temporary event licenses. These
12 temporary event licenses shall only be issued in local jurisdictions
13 that authorize such events.

14 (f) This division, or any regulations promulgated thereunder,
15 shall not be deemed to limit the authority or remedies of a city,
16 county, or city and county under any provision of law, including,
17 but not limited to, Section 7 of Article XI of the California
18 Constitution.

19 (g) Notwithstanding paragraph (1) of subdivision (a) of Section
20 11362.3 of the Health and Safety Code, a local jurisdiction may
21 allow for the smoking, vaporizing, and ingesting of cannabis or
22 cannabis products on the premises of a retailer or microbusiness
23 licensed under this division if all of the following are met:

24 (1) Access to the area where cannabis consumption is allowed
25 is restricted to persons 21 years of age and older.

26 (2) Cannabis consumption is not visible from any public place
27 or nonage-restricted area.

28 (3) Sale or consumption of alcohol or tobacco is not allowed
29 on the premises.

30 SEC. 3. The Legislature finds and declares that Sections 1 and
31 2 of this act amending Sections 26001 and 26200 of the Business
32 and Professions Code furthers the purposes and intent of the
33 Control, Regulate and Tax Adult Use of Marijuana Act..

O