



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

John A. Mirisch, Mayor

May 30, 2019

The Honorable Phil Ting
California State Assembly, 19th District
State Capitol, Room 6026
Sacramento, CA 95814

Re: AB 1356 (Ting) Cannabis: Local Jurisdiction: Retail Commercial Cannabis Activity
City of Beverly Hills – OPPOSE

Dear Assembly Member Ting,

On behalf of the City of Beverly Hills, I write to you in respectful **OPPOSITION** to your **AB 1356** that would override local control and prevent localities from being able to regulate retail cannabis activity in their jurisdictions meaningfully.

A core promise of Proposition 64, the Adult Use of Marijuana Act (“AUMA”), was to preserve local control over whether cannabis businesses may operate within local jurisdictions. Requiring localities to allow a minimum number of cannabis retailers in their jurisdiction conflicts with both the language and intent of AUMA. It also undermines the ability of cities to regulate cannabis businesses effectively by implementing local ordinances that reflect the unique challenges and opportunities in each jurisdiction.

For over eight years, the legislature has continually guaranteed local control over commercial cannabis. This began with the passage of AB 2650 (2010) and AB 1300 (2011). These two bills amended SB 420 (2003) to expressly recognize the authority of counties and cities to adopt local ordinances to regulate medical cannabis. Governor Brown further protected local authority over the commercial medical cannabis industry in October 2015 when he signed AB 266, AB 243 and SB 643. The intent of **AB 1356** would not only override the intent of these five legislative bills, but it would also override the intent of AUMA.

The bill’s mandated 1-to-6 ratio of commercial retail cannabis licenses to on-sale general license types for alcoholic beverage sale would impose an arbitrary land use standard for individual cities and counties based on the results of a statewide ballot measure. **AB 1356** would impose this

mandate based on the incorrect assumption that there is a nexus between a city's regulation of citizens' access to retail commercial cannabis and the number of liquor establishments within a community. This bill strip cities, like Beverly Hills, of their ability to maintain local control over retail commercial cannabis businesses in their jurisdiction.

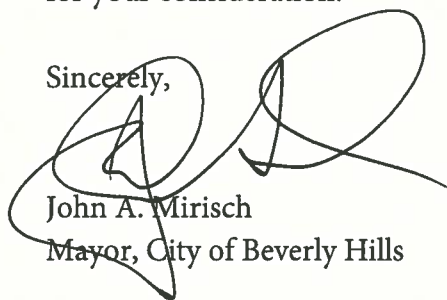
Furthermore, our City is concerned about public health and welfare. On May 21, 2019, the City of Beverly Hills prohibited the sale of all tobacco products in the City with a few minor exceptions.

Tobacco was once believed to be healthy by physicians and the general public. It was even believed to combat certain health ailments in the 1920's. Almost one hundred years later, after an immense amount of research, the public is now aware of how harmful tobacco is to people who consume it and breathe it. Given the limited time that cannabis has been available to smoke recreationally, our City would prefer to be cautious and only allow for the delivery of medicinal cannabis. This will allow time for research studies to continue on what long term health detriments, if any, might result from the recreational consumption of cannabis.

Finally, there is no statistical data available yet on the number of cannabis-related traffic deaths since cannabis was legalized in California. However, cannabis-related traffic deaths increased by 48 percent between the years of 2013-2015 since Colorado legalized recreational marijuana compared to 2010-2012, prior to legalization. These statistics are alarming and cause the City of Beverly Hills great concern if AB 1356 is enacted, which could cause a significant increase in the number of fatality accidents related to cannabis consumption.

For these reasons, the City of Beverly Hills must respectfully **OPPOSE** your **AB 1356**. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'John A. Mirisch', is written over the printed name and title. The signature is stylized with loops and a long horizontal stroke extending to the right.

John A. Mirisch
Mayor, City of Beverly Hills

cc: Members and Consultants, Assembly Business and Professions Committee
The Honorable Ben Allen, 26th Senate District
The Honorable Richard Bloom, 50th Assembly District
Andrew K. Antwih, Shaw / Yoder / Antwih, Inc.