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COUNCILMEMBER, 14TH DISTRICT

**\* \* PRESS RELEASE \* \* \***

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**FOR IMMEDIATE RELEASE**

**Council Adopts Medical Marijuana Law: Huizar Calls for State Oversight**

*Councilmember Huizar, who successfully lobbied for a cap of 70 collectives and forbidding operators from running more than one dispensary, is calling on the state for more oversight*

**LOS ANGELES (Jan. 19, 2009)** - The Los Angeles City Council voted 11-3 to adopt a permanent Medical Marijuana Ordinance today that included Councilmember José Huizar's plan to set a cap of 70 dispensaries, while allowing for some dispensaries that registered with the City before a November 2007 moratorium the opportunity to come into compliance under the new law within 180 days.

"Throughout this oftentimes contentious and passionate debate, I sought to protect the safety and well-being of our neighborhoods while allowing for safe access of medical marijuana for those who truly need it," said Councilmember José Huizar. "By capping collectives at 70, with room for some pre-moratorium dispensaries to come into compliance, we are showing the residents of Los Angeles we are acting prudently, humanely and with restraint. And with the City Council adopting my plan to disperse the collectives throughout the City's 35 Community Planning Areas based on population, we are ensuring a fair distribution of medical marijuana collectives throughout the City, without overburdening any particular community."

The new City law, which will go into effect after a second, simple majority vote is taken next week and registration fees are established by City staff, also includes Councilmember Huizar's amendment to combat profiteering and black market influence by requiring annual audits and limiting people from operating more than one collective.

Other regulations that Huizar implemented include: a 24-hour-contact person for each dispensary whose contact information will be given to surrounding property owners and to the City in order to log and respond to complaints; notification for Neighborhood Councils when a dispensary operators first identifies a potential site location and a requirement for twice daily cash drops.

(more)

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## Medical Marijuana Ordinance Adopted

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Citing numerous gaps in state law regarding medical marijuana, Councilmember Huizar also called on state legislators to revisit the issue regardless if current proposals to legalize marijuana for personal use move forward.

“Prop 215 (The Compassionate Use Act) and SB420 are not proposals, they are state laws that are on the books right now and while they are well intended, they are flawed,” said Councilmember Huizar. “There are gaping holes under current law that are causing cities across the state to invent and reinvent the wheel with their medical marijuana ordinances because they are struggling to regulate unresolved state issues within the constraints of a local forum. The reality is these discrepancies with current state law are causing negative impacts in our neighborhoods. We need clarification from the state sooner than later.”

Some of the guidelines in the state’s medical marijuana law that Los Angeles and other cities have struggled with include whether state law allows for the sale of marijuana, what constitutes a collective, and specific guidelines for the cultivation and transporting of medical marijuana, as well as lax guidelines regarding physicians’ medical marijuana recommendations.

Councilmember Huizar first began working on medical marijuana legislation as a member of the City’s Planning & Land Use Management Committee, when he heard from constituents in Eagle Rock about proliferating medical marijuana facilities in the area. In order to combat hundreds of dispensaries that opened up illegally after the 2007 moratorium was enacted, in June 2009, Councilmember Huizar introduced City legislation to strike the hardship exemption from the City’s Medical Marijuana Interim Control Ordinance.

Of the 186 dispensaries that registered before the moratorium, there are an estimated 137 still in operation. Many of those dispensaries would be unable to meet the new regulations at their existing locations due to other restrictions enacted by the City Council today, such as one that requires collectives to be at least 1,000 feet from schools, parks, places of worship and other sensitive-use areas.

If fewer than 70 are able to come into compliance, other collectives may apply to open, but the maximum number would not exceed 70. The City Council would be able to modify that number at a later date if necessary.

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