

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2021-2022 Regular Session**

AB 1138 (Blanca Rubio)  
Version: April 21, 2021  
Hearing Date: July 6, 2021  
Fiscal: Yes  
Urgency: No  
AWM

**SUBJECT**

Unlawful cannabis activity: civil enforcement

**DIGEST**

This bill creates a civil enforcement action for aiding and abetting unlicensed cannabis activity, with a civil penalty of up to \$30,000 per violation.

**EXECUTIVE SUMMARY**

Californians voted to legalize the adult use and sale of recreational cannabis in 2016, and the Legislature subsequently implemented a licensing regime for the cultivation, manufacture, testing, and sale of cannabis products. Despite the state's efforts to permit and regulate cannabis activities, illicit cannabis activities still remain a substantial portion of the cannabis industry. These unlicensed businesses can undercut legal businesses because they do not have to pay licensing, testing, and other state-mandated costs, deny the state millions in tax dollars each year, and put consumers at risk by selling untested cannabis products.

This bill is intended to provide an additional enforcement mechanism against unlicensed cannabis activities. The bill establishes a civil penalty for a person who aided and abetted unlicensed cannabis activities, as defined, of up to \$30,000 per violation, with each day of unlicensed cannabis activity constituting a separate violation. Because of the significant risks posed by such a severe civil penalty, the author has agreed to several amendments to protect against inequitable application of the bill.

This bill is sponsored by the United Cannabis Business Association and the United Food and Commercial Workers, Western States Council, and is supported by a number of cannabis industry organizations. It is opposed by ACLU Action California and other organizations concerned about a reversion to overly harsh drug-related penalties. If this bill is passed out of this Committee, it will then be heard by the Senate Business, Professions and Economic Development Committee.

**PROPOSED CHANGES TO THE LAW**

Existing law:

- 1) Establishes the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) to regulate the cultivation, distribution, transport, storage, manufacturing, processing, and sale of both medicinal cannabis and adult-use cannabis. (Bus. & Prof. Code, §§ 26000 et seq.)
- 2) Grants the authority to license persons and entities engaged in commercial cannabis activities as follows:
  - a) The Bureau of Cannabis Control (Bureau) has the sole authority to regulate cannabis with the sole authority to create, issue, deny, renew, discipline, suspend, or revoke licenses for microbusinesses, transportation, storage unrelated to manufacturing activities, distribution, testing, and sale of cannabis and cannabis products within the state. (Bus. & Prof. Code, §§ 26010, 26012 (a)(1).)
  - b) The Department of Food and Agriculture has licensing authority with respect to the cultivation of cannabis. (Bus. & Prof. Code, § 26012(a)(2).)
  - c) The State Department of Public Health has licensing authority with respect to the manufacture of cannabis products. (Bus. & Prof. Code, § 26012(a)(3).)
- 3) Establishes 20 types of licenses for various commercial cannabis activities, including cultivation, manufacturing, testing, retail, distribution, and microbusiness; a licensee must designate whether the license is for adult-use or medicinal cannabis, except for the testing laboratory license. (Bus. & Prof. Code, § 26050.)
- 4) Provides that a person engaging in commercial cannabis activity without the required license shall be subject to a civil penalty of at least three times the amount of the license fee for each violation, and the court may order the destruction of the cannabis associated with the violation.
  - a) For purposes of calculating the number of violations, each day of unlicensed operation constitutes a separate violation.
  - b) A violator shall be responsible for the cost of the destruction of the cannabis associated with the violation. (Bus. & Prof. Code, § 26038(a).)
- 5) Provides that the civil penalties imposed and collected for unlicensed cannabis activity shall be disbursed as follows:
  - a) If the penalty is imposed and collected by the relevant licensing authority, the funds shall be deposited into the General Fund. (Bus. & Prof. Code, § 26038(a).)
  - b) If the action is brought by the Attorney General in an action on behalf of the people, the penalty shall be deposited into the General Fund. (Bus. & Prof. Code, § 26038(b).)

- c) If the action is brought by a district attorney, county counsel, city attorney, or city prosecutor, the funds shall first be used to reimburse the counsel or attorney for the cost of bringing the action and the remainder, if any, shall be deposited into the General Fund. (Bus. & Prof. Code, § 26038(b)(1).)
- 6) Requires civil actions brought upon a statute for a forfeiture or penalty to the people of this state be filed within one year unless the statute imposing the penalty sets a different limitations period. (Code Civ. Proc., § 340(b).)

This bill:

- 1) Provides that a person aiding and abetting unlicensed commercial cannabis activity shall be subject to a civil penalty of up to \$30,000 for each violation. For purposes of calculating violations, each day of operation of unlicensed commercial cannabis activity that the person is found to have aided and abetted constitutes a separate violation.
- 2) Provides that a court, in assessing the penalty, should give due consideration to the appropriateness of the penalty with respect to factors the court<sup>1</sup> determines to be relevant, including:
  - a) The gravity of the violation by the licensee or person.
  - b) The good faith of the licensee or person.
  - c) The history of previous violations.
- 3) Provides that cannabis associated with aiding and abetting unlicensed cannabis activity may be destroyed, with the cost of the destruction paid for by the person in violation.
- 4) Sets the statute of limitations for an action for civil penalties for license violations or aiding and abetting license violations at three years from the date of the first discovery of the violation by a licensing authority or a participating agency, whichever is earlier or earliest.
- 5) Provides that, in order to establish that a person aided and abetted unlicensed cannabis activity, the following must be demonstrated:
  - a) The person was in a position to make command or control decisions regarding the operation and management of the unlicensed cannabis activity or the property in which the activity is taking place.
  - b) The person had actual knowledge that their actions constituted an unlicensed cannabis activity.

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<sup>1</sup> As currently in print, the bill erroneously refers to the appropriateness of the "fine" and factors the "licensing agency" deems relevant. The amendments agreed to by the author include replacing the incorrect terms.

- c) The person provided substantial assistance or encouragement to the unlicensed cannabis activity.
  - d) The person's conduct was a substantial factor in furthering the unlicensed cannabis activity.
- 6) Extends the existing provisions for the allocation of penalties collected for licensing violations to penalties collected in connection with aiding and abetting unlicensed cannabis activities.
- 7) Finds and declares that this act furthers the purposes and intent of the Control, Regulate and Tax Adult Use of Marijuana Act.

### COMMENTS

1. Author's comment

According to the author:

This legislation is important to ensure that our communities are protected from unlicensed and illegal cannabis operations. Recent market analyses indicate that black market cannabis operators made an estimated \$8.7 billion in 2019, accounting for almost 80 percent of total cannabis sales in the state. In addition to dwindling tax revenues, we are putting the public at risk because these illegal cannabis businesses evade state testing requirements and are a threat to public health.

California needs to improve its enforcement mechanisms without reenacting the War on Drugs. Assessing administrative penalties on these illegal operations and the properties in which they operate will go a long way towards protecting our communities and will allow the legal cannabis market to grow and operate in accordance with what voters intended us to establish when they approved Proposition 64.

2. Despite the legalization of cannabis in the state, unlicensed cannabis activity remains common

While cannabis remains a Schedule I narcotic under federal law,<sup>2</sup> California has permitted medical cannabis use since 1996.<sup>3</sup> Adult recreational cannabis use was

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<sup>2</sup> 21 U.S.C. § 812. Drugs designated as Schedule I ostensibly have a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use of the drug or other substance under medical supervision. (*Id.*, § 812(b)(1).) Opium and fentanyl, by contrast, are designated as Schedule II. (*Id.*, § 812, Schedule II.)

<sup>3</sup> Compassionate Use Act (Prop. 215), as approved by voters, Gen. Elec. (Nov. 5, 1996).

approved by the voters in 2016,<sup>4</sup> and the Legislature subsequently enacted MAUCRSA to streamline and synthesize the licensing and regulatory regimes for medical and recreational cannabis.<sup>5</sup>

The California Department of Tax and Fee Administration reports that, since the implementation of MAUCRSA, the state has brought in over two billion dollars in tax revenues from licensed cannabis activities.<sup>6</sup> Yet the unlicensed cannabis industry persists; unlicensed dispensaries actually outnumber dispensaries licensed by the Bureau.<sup>7</sup> Unlicensed retailers – which are more likely to carry products that exceed the legal THC limit, sell counterfeit products or products with pesticides, or sell products that lack child-resistant packaging – tend to be more prevalent in neighborhoods with higher Black and Hispanic populations.<sup>8</sup>

The state's legalization of recreational cannabis, after decades of harsh penalties for the sale and possession of cannabis under state (and federal) law, gives rise to an ethical quandary: how much should the state make amends to the people who were prosecuted under the old laws – for possessing or selling a product that the state now recognizes as legitimate? Between 2006 and 2015 alone, there were nearly half a million cannabis-related arrests in the state, and while white and Black people in California use cannabis at similar rates, Black people were approximately four times as likely to be arrested for cannabis offenses.<sup>9</sup> The state has taken some steps to undo the harm of decades of unequal cannabis enforcement: Proposition 64 allowed persons with certain possession, cultivation, and transport convictions to apply for conviction relief,<sup>10</sup> and the California Cannabis Equity Act of 2018 established equity grants to help reduce barriers to entry into the legal market.<sup>11</sup> Yet the financial benefits of legal cannabis have overwhelmingly inured to the benefit of white people,<sup>12</sup> while the burden of unlawful cannabis activities is still disproportionately borne by California's nonwhite population. As the bill's

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<sup>4</sup> The Control, Regulate, and Tax Adult Use of Marijuana Act (Prop. 64), as approved by voters, Gen. Elec. (Nov. 8, 2016).

<sup>5</sup> SB 94 (Senate Committee on Budget and Fiscal Review, Ch. 27, Stats. 2017).

<sup>6</sup> California Department of Tax and Fee Administration, *Cannabis Tax Revenues* (through Q1 2021), <https://www.cdtfa.ca.gov/dataportal/charts.htm?url=CannabisTaxRevenues> [last visited Jul. 2, 2021].

<sup>7</sup> Unger, et al., *Locations of licensed and unlicensed cannabis retailers in California: A threat to health equity?*, Preventive Medicine Reports, Vol. 19 (Sept. 2020), available at <https://www.sciencedirect.com/science/article/pii/S221133552030125X?via%3Dihub#!> [last visited Jul. 2, 2021] (finding 448 licensed cannabis facilities and 662 unlicensed cannabis facilities in the state).

<sup>8</sup> *Ibid.*

<sup>9</sup> Ingraham, California arrested nearly half a million people for pot over the past decade, Washington Post (Aug. 18, 2016), <https://www.washingtonpost.com/news/wonk/wp/2016/08/18/california-arrested-nearly-half-a-million-people-for-pot-over-the-past-decade/> [last visited Jul. 2, 2021].

<sup>10</sup> The Control, Regulate, and Tax Adult Use of Marijuana Act (Prop. 64), as approved by voters, Gen. Elec. (Nov. 8, 2016).

<sup>11</sup> SB 1294 (Bradford, Ch. 794, Stats. 2018).

<sup>12</sup> Yzola, The legal cannabis industry is exploding, but overwhelmingly run by white owners, Insider (Apr. 17, 2020), <https://www.insider.com/how-big-weed-became-rich-white-business-2019-12> [last visited Jul. 2, 2021].

opponents point out, however, that burden manifests in different ways: while Black and Hispanic neighborhoods bear the brunt of unlicensed cannabis facilities, there is also a concern that targeting unlicensed cannabis activity will result in a repeat of the same racist drug policies that characterized the pre-legalization era.

3. This bill establishes a civil cause of action for aiding and abetting unlicensed cannabis activity

Current law creates a civil penalty of up to \$30,000 per violation, per day, for engaging in unlicensed cannabis activities.<sup>13</sup> According to the author, however, this expansive existing power is insufficient because it does not allow enforcement for the parties assisting with, but not directly engaging in, unlicensed cannabis activities. This bill seeks to address that limitation by creating a civil penalty that can be imposed against persons who are “aiding and abetting” unlicensed cannabis activities. The author believes that if the state and local entities can seek penalties from persons and companies that enable unlicensed cannabis activities, such as landlords who knowingly rent to unlicensed cannabis retailers, unlicensed cannabis activity will become less profitable and less prevalent. As currently drafted, the bill authorizes the same penalty as the civil penalty for directly engaging in unlicensed cannabis activities: \$30,000 per violation, with each day of unlicensed cannabis activities constituting a separate violation.

While the author’s stated intention is to restrict the aiding and abetting penalty to high-level actors and other business entities such as landlords, the long history in this state and this country of using drug laws to go after, and harshly penalize, low-level offenders remains at the forefront of this issue. This concern is particularly acute in California, where an unsophisticated employee or investor might not be aware of the difference between licensed and unlicensed business or activity. As such, the author has agreed to amend the bill to add additional protections to ensure this bill’s application is truly limited to high-level players in the unlicensed cannabis space.

*Penalty amount.* As noted above, the bill as drafted currently authorizes a civil penalty of up to \$30,000 per violation of cannabis licensing laws and regulations, with each day of unlicensed activities constituting a separate violation. One \$30,000 penalty could ruin an average person; \$30,000 multiplied by days, weeks, or months would be catastrophic. At the same time, the unlicensed cannabis business is highly profitable, and the current \$30,000/day penalty for directly engaging in unlicensed cannabis activity reflects a legislative decision to impose fees up to that amount. In order to strike a balance, the author has agreed to amend the bill to provide that the amount of the penalty shall be up to three times the amount of the license fee for each violation, but in no case more than \$30,000. The Bureau’s retail licensing fees are based on the

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<sup>13</sup> Bus. & Prof. Code, § 26038.

profitability of the business and start as low as \$2,500;<sup>14</sup> this amendment will ensure that the upper end of the penalty is tethered to the scope of the unlicensed activity itself, while still authorizing the \$30,000 daily penalty for the most profitable players.

*Factors to consider in determining the amount of the penalty.* The bill authorizes a penalty of “up to” \$30,000 per violation per day, indicating that the court considering the case has the discretion to award a substantially lower penalty. The bill provides that, in exercising that discretion, the court should consider (1) the gravity of the violation, (2) the good faith of the licensee or person, and (3) the licensee or person’s history of previous violations. The author has agreed to add a fourth factor, “whether, and to what extent, the licensee or person profited from the unlicensed cannabis activity.” This factor clarifies that the high end of the civil penalty range should be reserved for actors who made commensurately high profits, and that a much lower penalty may be appropriate for actors who received few or no ill-gotten gains.

*Factors to prove aiding and abetting liability.* As discussed above, the author does not intend this bill to be applied against low-level participants in an unlicensed cannabis business, such as a cashier or a security guard at a retail location. The bill currently requires that four factors be proved in order to establish liability for aiding and abetting:

1. That the person was in a position to make command or control decisions regarding the operations or management of the unlicensed cannabis activity or the property in which the activity is taking place.
2. That the person had knowledge that their actions constituted an unlicensed cannabis activity.
3. That the person provided substantial assistance or encouragement to the unlicensed cannabis activity.
4. That the person’s conduct was a substantial factor in furthering the unlicensed cannabis activity.

The author has agreed to amend factors (1) and (2), to provide better context for what persons should be liable for the aiding and abetting civil penalty. For factor (1), the author has agreed to clarify that the person must be an owner, officer, controlling shareholder, or in a similar position of authority allowing them to make command or control decisions regarding the operations of the business. And for factor (2), the author has agreed to require both that the person had actual knowledge that the cannabis activity was unlicensed *and* that the cannabis activity required a license. These amendments provide additional assurances against this civil penalty being used as a cudgel against unknowing violators or low-level employees.

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<sup>14</sup> Cal. Code Regs., tit. 16, § 5014.

4. This bill, as amended, establishes a three-year statute of limitations for the civil aiding and abetting action

A statute of limitations is a requirement to commence legal proceedings (either civil or criminal) within a specific period of time. Although it may seem unfair to bar actions after the statute of limitations has elapsed, that limitations period serves important policy goals that help to preserve both the integrity of the state's legal system and the due process rights of individuals.

Under existing law, the general statute of limitations in California to bring an action upon a statute for a forfeiture or penalty to the people of this state is one year.<sup>15</sup> As originally drafted, this bill would have extended the statute of limitations to three years from the Bureau's, or another regulating agency's, discovery of the violation. In order to ensure that individuals are not subjected to civil penalties for years', or decades', worth of involvement in unlicensed cannabis activity, and to ensure that individuals are not liable for a penalty years after they ceased such activities, the author agreed to amend the bill to set the statute of limitations at three years. This makes the bill's statute of limitations consistent with the three-year statute of limitations for civil penalties for unlicensed cannabis activity put in place by AB 287 (Quirk-Silva, 2021), which this Committee unanimously passed at its June 29, 2021, hearing.

5. The bill, as amended, allows the Attorney General and specified city and county attorneys to bring an action for aiding and abetting civil penalties

The bill as currently drafted allows the Attorney General, county counsel, and city attorneys and prosecutors to bring an action to enforce the aiding and abetting civil penalty. The author already agreed, in the Assembly Judiciary Committee, to remove district attorneys from the list of eligible entities, due to that Committee's concerns that district attorneys could use the threat of this bill's high civil penalties to coerce low-level actors into pleading guilty to questionable criminal charges. That same risk is posed by city attorneys and prosecutors, who are currently allowed to seek penalties under the bill, because many are responsible for prosecuting certain cannabis-related crimes. Moreover, the bill incentivizes municipal attorneys and prosecutors to bring actions for aiding and abetting unlicensed cannabis activities by providing that the prosecuting office's costs of bringing the suit may be recovered from any penalties awarded.

The author and the bill's supporters have expressed particular concern about unlicensed cannabis activity in the city of Los Angeles, and have suggested that there is a particular need for this bill in that city. In order to balance the needs of large cities and counties, while limiting the risks that this bill will be used to extract criminal pleas from low-level actors, the author has agreed to amend the bill to put the same floor on

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<sup>15</sup> Civ. Proc. Code § 340(b).



enforcement that exists in the Unfair Competition Law:<sup>16</sup> city attorneys and prosecutors, and county attorneys, in jurisdictions of 750,000 or more will be able to bring these actions, in addition to the Attorney General.

6. The author has agreed to amendments clarifying that this bill's remedies do not preempt other local enforcement mechanisms

As currently drafted, the bill does not make clear whether this bill will supersede local laws and ordinances that address unlicensed cannabis activities. Prop. 64 and MAUCRSA were clear that local governments must share in the regulation and control of cannabis activities within their jurisdictions.<sup>17</sup> By clarifying that the cause of action created by this bill does not prevent local governments from using other enforcement mechanisms to enforce laws and ordinances against unlicensed cannabis activities, this amendment furthers the intent of the voters who legalized recreational and medical cannabis use.

7. Amendments

As discussed in parts 3-6 above, the author has agreed to accept several amendments to the bill. They are set forth below, subject to technical and nonsubstantive alterations by Legislative Counsel.

Section 26038(a)(2): amend the amount of the civil penalty so that it is up to three times the amount of the license fee for each violation, but no more than \$30,000.

Section 26038(a)(3): replace "fine" with "civil penalty" and "licensing authority" with "court" to correct drafting errors.

Section 26038(a)(3)(C): add "licensee or person's" after "The".

Add section 26038(a)(3)(D): "Whether, and to what extent, the licensee or person profited from the unlicensed cannabis activity."

Section 26038(b): delete the reference to the discovery date by a licensing authority or participating agency, so that the statute of limitations runs from the date of the violation.

Section 26038(c): replace "licensing authority" with "court" to correct drafting errors.

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<sup>16</sup> See Bus. & Prof. Code, § 17204.

<sup>17</sup> See The Control, Regulate, and Tax Adult Use of Marijuana Act (Prop. 64), as approved by voters, Gen. Elec. (Nov. 8, 20216); SB 94 (Senate Committee on Budget and Fiscal Review, Ch. 27, Stats. 2017).

Section 26038(d)(1): amend to read “The person was an owner, officer, controlling shareholder, or in a similar position of authority allowing them to make command or control decisions regarding the operations and management of the unlicensed cannabis activity or the property in which the activity is taking place.”

Section 26038(d)(2): amend to read “The person had actual knowledge that the cannabis activity was unlicensed and that the cannabis activity required a license.”

Section 26038(e): amend so that the aiding and abetting civil penalty may be brought only by the Attorney General in an action on behalf of the people, or on behalf of a licensing authority or participating agency; or a city attorney, city prosecutor, or county attorney for a jurisdiction with a population in excess of 750,000.

Add section 26038(g): to provide that the aiding and abetting civil penalty under this section does not preempt local governments from bringing actions under local ordinances or other local laws.

## 8. Arguments in support

According to co-sponsor of the bill United Food and Commercial Workers Western States Council:

Workers at licensed cannabis protections are afforded protections, such as workplace health and safety, unemployment insurance, and workers compensation. Unfortunately, workers in unlicensed businesses are not afforded these same protections. Unlicensed businesses do not comply with state labor laws, labor provisions established in Proposition 64, or labor protections in the cannabis regulations.

Cannabis before being made available to the public is required to be tested and a certificate of analysis issued for (1) Cannabinoids; (2) Foreign materials; (3) Heavy metals; (4) Microbial impurities; (5) Mycotoxins; (6) Moisture content and water activity; (7) Residual pesticides; (8) Residual solvents and processing chemicals; and (9) If applicable, terpenoids. Cannabis being advertised by unlicensed businesses is not tested nor is a certificate of analysis issued. The presence of some of the chemicals being tested for is known to cause cancer and birth defects. The public will continue to be subject to these dangers if Assembly Bill 1138 does not pass...

Assembly Bill 1138 will have a direct economic impact in the public and private sectors, including revenues, taxes generated for state and local budgets, and criminal justice impacts, including, but not necessarily limited to, impacts on law enforcement and public resources, job creation, workplace safety, and state and local government agency administrative costs and revenue.

9. Arguments in opposition

According to bill opponent ACLU Action California:

AB 1138 unnecessarily adds upon existing criminal and civil penalties and exposes low-income, wage-earning employees to particular harm. The bill subjects employees with no equity stake in the business to severe civil sanctions, potentially higher than those applicable to the owners of these operations. Unpaid fines could expose these individuals to driver's license suspension, arrest, jail, and wage garnishment.

These civil penalties would be brought by the same prosecutor's office that may charge criminal violations. Threatened with both jail time and onerous fines, a low-income person might be coerced into pleading unjustly to avoid the threat of massive fines and unpayable debt. In addition, because the bill would allow the proceeds of enforcement efforts to be retained by the prosecuting entities rather than deposited into the General Fund, this may lead to inequitably aggressive enforcement efforts in some communities and prosecution units created solely to generate cannabis fine revenue.

The existing market for licensed operators has not fully developed in many parts of California and still remains inaccessible to many who suffered from the greatest harms of prohibition. Those problems will not be corrected by massive civil penalties coupled with criminal penalties. We must collectively work to implement the vision of Proposition 64 – a well-regulated, legal market for adult use cannabis – while continuing to shift away from an unjust, punitive criminal justice driven approach.

**SUPPORT**

United Cannabis Business Association (co-sponsor)

United Food and Commercial Workers Western States Council (co-sponsor)

Angeles Emeralds

Body and Mind

California Special Districts Association

Cannabis Distribution Association

CMG/Caliva

Community Water Systems Alliance

Long Beach Collective Association

Natura

San Francisco Cannabis Retailers Alliance

Social Equity LA

Southern California Coalition

## OPPOSITION

ACLU Action California  
Drug Policy Alliance  
Ella Baker Center for Human Rights  
Fresno Barrios Unidos  
Legal Services for Prisoners with Children  
MCAVHN Care & Prevention Network  
We the People – San Diego  
The Young Women’s Freedom Center

## RELATED LEGISLATION

### Pending Legislation:

SB 758 (Bradford, 2021) reduces the maximum fine for certain cannabis-related violations committed by licensees, but retains the maximum fine for unlicensed cannabis businesses. SB 758 is pending before the Senate Business, Professions and Economic Development Committee.

SB 603 (Bradford, 2021) creates a cannabis equity business tax credit that a licensed cannabis business may credit against its net tax burden. SB 603 is pending before the Assembly Revenue and Taxation Committee.

AB 725 (Ward, 2021) requires any person conducting a cannabis business that requires a license, but who failed to obtain that license, to pay the taxes and be subject to a penalty of at least one-half the cost of the taxes that would have been owed if the person had been properly licensed. AB 725 is pending before the Assembly Revenue & Tax Committee.

AB 287 (Quirk, 2021) provides that the statute of limitations for an action to recover civil penalties for engaging in commercial cannabis activity without license is three years. AB 287 is pending before the Senate Appropriations Committee.

### Prior Legislation:

AB 2122 (Blanca Rubio, 2020) was substantially similar to this bill and would have established a civil penalty for aiding and abetting unlicensed cannabis activity. AB 2122 died in the Senate Judiciary Committee.

AB 1530 (Cooley, 2019) would have established grants for local governments to establish or expand an enforcement program against unauthorized cannabis activity, as defined, and provide consumer education about the difference between licensed or

legal cannabis activity and unlicensed or illegal cannabis activity. AB 1530 died in the Assembly Business and Professions Committee.

AB 1417 (Blanca Rubio, 2019) would have, among other things, extended the penalty for unlicensed cannabis activity to aiders and abettors. AB 1417 died in the Senate Appropriations Committee.

**PRIOR VOTES:**

Assembly Floor (Ayes 75, Noes 0)

Assembly Appropriations Committee (Ayes 16, Noes 0)

Assembly Judiciary Committee (Ayes 10, Noes 0)

Assembly Business and Professions Committee (Ayes 17, Noes 0)

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