

2021 Signed and Vetoed Legislation

[AB 45](#)

(Aguiar-Curry D) Industrial hemp products.

Status: 10/6/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 576, Statutes of 2021.

Summary: This bill would establish a regulatory structure, under the authority of the Department of Public Health (CDPH), to authorize the use of industrial hemp in a food, beverage, processed pet food, or cosmetic; require the Department of Cannabis Control to send a report to the Legislature and Governor by July 1, 2022, outlining the steps necessary to allow for the incorporation of hemp into the cannabis supply chain (i.e., to allow for the incorporation of hemp cannabinoids into cannabis products, and also to allow for the sale of hemp products at cannabis retailers).

[AB 128](#)

(Ting D) Budget Act of 2021.

Status: 6/28/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 21, Statutes of 2021.

Summary: This bill would make appropriations for the support of state government for the 2021–22 fiscal year, including funding for the Department of Cannabis Control. This bill would declare that it is to take effect immediately as a Budget Bill.

[AB 141](#)

(Committee on Budget) Budget Act of 2021: Department of Cannabis Control: licensure: safety and quality assurance.

Status: 7/12/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 70, Statutes of 2021.

Summary: This bill would establish the Department of Cannabis Control within the Business, Consumer Services, and Housing Agency, would transfer to this department the powers, duties, purposes, functions, responsibilities, and jurisdiction of the bureau, the Department of Food and Agriculture, and the State Department of Public Health under MAUCRSA, except as specified, and would make conforming changes.

[AB 287](#)

(Quirk D) Civil actions: statute of limitations.

Status: 9/23/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 264, Statutes of 2021.

Summary: MAUCRSA imposes a civil penalty on a person engaging in commercial cannabis activity without a license required by MAUCRSA of up to 3 times the amount of the license fee for each violation. This bill would extend the statute of limitations for bringing a civil action against an entity engaging in unlicensed commercial cannabis activity from one year to three years.

[AB 527](#)

(Wood D) Controlled substances.

Status: 10/7/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 618, Statutes of 2021.

Summary: Current law provides that federally rescheduled or otherwise legally prescribed products containing cannabidiol (CBD) may be lawfully prescribed under state law. This bill would expand the provision to apply to products containing any cannabinoids, not just CBD. Therefore, products containing any cannabinoid approved by the FDA may be lawfully prescribed under state law. This bill would enact the same exemptions from scheduling [classification of medications] under the Uniform Controlled Substances Act in California that currently exist under federal law. Finally, this bill requires the California Department of Justice (DOJ) to provide the University of California (UC) access to identifiable data for research purposes.

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[AB 1138](#)

(Rubio, Blanca D) Unlawful cannabis activity: civil enforcement.

Status: 10/5/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 530, Statutes of 2021.

Summary: This bill subjects any person who is found to be “aiding and abetting” unlicensed commercial cannabis activity to a civil penalty of up to \$30,000 per violation, per day, and establishes criteria for a court to consider when determining the penalty amount, as well as other criteria (such as actual knowledge of the unlicensed commercial cannabis activity) that would have to be proved to establish “aiding and abetting.” This bill also adds a statute of limitations of three years to bring an action against an entity found to be engaged in or “aiding and abetting” unlicensed commercial cannabis activity.

[AB 1222](#)

(Chen R) Cannabis packaging: beverages.

Status: 10/5/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 532, Statutes of 2021.

Summary: This bill would allow cannabis-infused beverages to be packaged in clear or colored glass containers.

[AB 1302](#)

(Quirk D) Commercial cannabis billboards: placement restrictions.

Status: 10/8/2021-[Vetoed by Governor](#).

Summary: Existing law prohibits advertising or marketing cannabis on a billboard or similar advertising device on an Interstate Highway or on a State Highway which crosses the California border. This bill would prohibit cannabis advertising within a 15-mile radius of the California border on an Interstate Highway or on a State Highway which crosses the California border.

[AB 1305](#)

(Lackey R) The Medicinal and Adult-Use Cannabis Regulation and Safety Act: exemptions.

Status: 8/31/2021-Approved by the Governor. Chaptered by Secretary of State - Chapter 157, Statutes of 2021.

Summary: Current law exempts federal Food and Drug Administration (FDA) approved products that contain cannabidiol (CBD) from the requirements of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA). This bill would expand the exemption to include all cannabinoids. This bill would further specify that the requirements under MAUCRSA do not apply to activity performed pursuant to a registration with the United States Drug Enforcement Administration (DEA) if documentation of their registration and the location where the activity will be performed is provided to the Department of Cannabis Control prior to engaging in the activity.

[SB 160](#)

(Committee on Budget and Fiscal Review) Department of Cannabis Control: licensure: appellations of origin: trade samples.

Status: 7/16/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 87, Statutes of 2021.

Summary: This bill would revise certain provisions of MAUCRSA amended or added by AB 141. This bill, among other provisions, would also establish the statutory mandates for issuing and renewing provisional licenses.

[SB 166](#)

Status: 9/23/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 260, Statutes of 2021.

Summary: The California Cannabis Equity Act of 2018 requires the Department of Cannabis Control, on or before January 1, 2021, to develop and implement a program to provide a deferral or waiver for an application fee, a licensing fee, or renewal fee otherwise required by MAUCRSA for a needs-based applicant or needs-based licensee. This bill would instead require the department, on or before January 1, 2022, to develop and implement a program to provide waivers for application fees, licensing fees, and renewal fees required by MAUCRSA. The bill would further require the Department, on or before January 1, 2023, to develop and implement a program to provide deferrals for application fees, licensing fees, and renewal fees required by MAUCRSA.

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[SB 170](#)

(Skinner D) Budget Act of 2021.

Status: 9/23/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 240, Statutes of 2021.

Summary: The Budget Act of 2021 made appropriations for the support of state government for the 2021-22 fiscal year. This bill would amend the Budget Act of 2021 by amending, adding, and repealing items of appropriation and making other changes. This bill would declare that it is to take effect immediately as a Budget Bill.

[SB 292](#)

(Wilk R) Industrial hemp.

Status: 10/4/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 485, Statutes of 2021.

Summary: Current law requires specified registrants that grow industrial hemp, before the harvest of each crop, to obtain a laboratory test report indicating the THC (delta-9 tetrahydrocannabinol) levels of a random sampling of the industrial hemp, and requires that sampling to occur no more than 30 days before harvest. Current law requires a registrant that grows industrial hemp to destroy the industrial hemp grown upon receipt of a laboratory test report indicating a percentage concentration of THC that exceeds a specified level. Unless otherwise provided, a violation of these provisions is a crime. This bill would instead require the sampling to occur within a timeframe determined by the Department of Food and Agriculture.

[SB 311](#)

(Hueso D) Compassionate Access to Medical Cannabis Act or Ryan's Law.

Status: 9/28/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 384, Statutes of 2021.

Summary: This bill would require specified types of health care facilities to allow a terminally ill patient's use of medicinal cannabis within the health care facility, subject to certain restrictions. The bill would require a patient to provide the health care facility with a copy of their medical marijuana card or written documentation that the use of medicinal cannabis is recommended by a physician.

[SB 544](#)

(Laird D) Cannabis testing.

Status: 10/5/2021-Approved by the Governor. Chaptered by Secretary of State. Chapter 547, Statutes of 2021.

Summary: This bill would require the Department of Cannabis Control, by January 1, 2023, to establish one or more standardized cannabinoid test methods to be used by all testing laboratories. The bill would also authorize the Department to establish these standards through a reference laboratory.