

AMENDED IN SENATE MARCH 29, 2017

SENATE BILL

No. 794

Introduced by Senator Stern

February 17, 2017

An act to amend Section ~~218.5 of the Revenue and Taxation Code, 26130 of the Business and Professions Code~~, relating to ~~taxation~~ *marijuana*.

LEGISLATIVE COUNSEL'S DIGEST

SB 794, as amended, Stern. ~~Property tax~~. *Edible marijuana products: labeling and packaging.*

Existing law, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), enacted as an initiative statute at the November 8, 2016, statewide general election, regulates the cultivation, distribution, and use of marijuana for nonmedical purposes by individuals 21 years of age and older, including edible marijuana products. Existing law requires an edible marijuana product that is in solid form to be delineated or scored into standardized serving sizes if the marijuana product contains more than one serving.

This bill would additionally require each single serving of an edible marijuana product to be stamped, marked, or otherwise imprinted directly on the product with a universal symbol that is designed by the Bureau of Marijuana Control. The bill would specify the required size and visibility of the universal symbol.

The bill would require edible marijuana products to be sold in packaging that is tamperproof, child resistant, and, if the product contains more than one serving, resealable.

AUMA authorizes the Legislature to amend, by a 2/3 vote, certain provisions of the act, provided that the amendments are consistent with, and further the purposes and intent of, the act.

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

~~Existing law requires county assessors to supply to the State Board of Equalization information from homeowners' property tax exemption claims and county records necessary to fully identify all homeowners' property tax exemption claims allowed by the assessors.~~

~~This bill would make a nonsubstantive change to those provisions.~~

Vote: ~~majority~~ 2/3. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

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

1 SECTION 1. Section 26130 of the Business and Professions
2 Code is amended to read:

3 26130. (a) Marijuana products shall be:

4 (1) Not designed to be appealing to children or easily confused
5 with commercially sold candy or foods that do not contain
6 marijuana.

7 (2) Produced and sold with a standardized dosage of
8 cannabinoids not to exceed ten (10) milligrams
9 tetrahydrocannabinol (THC) per serving.

10 (3) Delineated or scored into standardized serving sizes if the
11 marijuana product contains more than one serving and is an edible
12 marijuana product in solid form.

13 (4) (A) *Stamped, marked, or otherwise imprinted on each single*
14 *serving with a universal symbol, which shall be designed by the*
15 *bureau. The symbol shall be placed directly on at least one side*
16 *of each edible marijuana product serving so as to be*
17 *distinguishable and easily recognizable.*

18 (B) *The universal symbol shall be centered either horizontally*
19 *or vertically on the single serving. If centered horizontally, the*
20 *height and width of the symbol shall be at least 25 percent of the*
21 *serving's width, but not less than one-quarter inch square. If*
22 *centered vertically, the height and width of the symbol shall be at*
23 *least 25 percent of the serving's height, but not less than*
24 *one-quarter inch square.*

25 (4)

1 (5) Homogenized to ensure uniform disbursement of
2 cannabinoids throughout the product.

3 ~~(5)~~

4 (6) Manufactured and sold under sanitation standards established
5 by the State Department of Public Health, in consultation with the
6 bureau, for preparation, storage, ~~handling~~ *handling*, and sale of
7 food products.

8 (7) *Sold in packaging that is tamperproof, child resistant, and,*
9 *if the product contains more than one serving, resealable.*

10 ~~(6)~~

11 (8) Provided to customers with sufficient information to enable
12 the informed consumption of such product, including the potential
13 effects of the marijuana product and directions as to how to
14 consume the marijuana product, as necessary.

15 (b) Marijuana, including concentrated cannabis, included in a
16 marijuana product manufactured in compliance with law is not
17 considered an adulterant under state law.

18 *SEC. 2. The Legislature finds and declares that this act is*
19 *consistent with, and furthers the purposes of, the Control, Regulate*
20 *and Tax Adult Use of Marijuana Act.*

21 ~~SECTION 1. Section 218.5 of the Revenue and Taxation Code~~
22 ~~is amended to read:~~

23 ~~218.5. In order to assure the accuracy of the state's~~
24 ~~reimbursements for the homeowners' property tax exemption and~~
25 ~~to prevent duplications of the exemptions within the state and~~
26 ~~improper overlapping with other benefits provided by law, county~~
27 ~~assessors shall supply information from homeowners' property~~
28 ~~tax exemption claims and county records as is specified by written~~
29 ~~request of the board, and with the concurrence of the Controller,~~
30 ~~necessary to fully identify all homeowners' property tax exemption~~
31 ~~claims allowed by the assessors. The board may specify that the~~
32 ~~information include all or a part of the names and social security~~
33 ~~numbers of claimants and spouses and the identity and location of~~
34 ~~the dwelling to which the exemption applies. The information may~~
35 ~~be required in the form of data processing media or other media~~
36 ~~and in a format that is compatible with the recordkeeping processes~~
37 ~~of the counties and the auditing procedures of the state.~~