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Month Day, 2024

The Honorable Greg Wallis

California State Assembly

1021 O Street, Suite 4330

Sacramento, CA 95814

**RE: AB 491 (Wallis) – Local Government: Fines and Penalties - SUPPORT**

Dear Assembly Member Wallis:

On behalf of [Organization], we write to express our strong support for Assembly Bill 491, which would enhance local enforcement mechanisms against unlicensed cannabis activities.

[Organization statement about the challenges of providing effective illicit cannabis enforcement] Rural communities have been inundated with unlicensed and unregulated cannabis activity that is undermining the health and safety of residents and our regulated cannabis businesses. Local law enforcement agencies and code enforcement struggle to effectively deter illicit cannabis operators who sidestep regulations and undermine the health and safety of residents and our regulated cannabis businesses. Enhanced tools at the local level are needed to combat this highly lucrative and harmful unlawful activity.

Counties and cities are currently authorized to enforce local ordinances through several methods, including the imposition of administrative penalties. However, the existing penalty statutes are primarily designed for ordinary zoning and building violations, and these processes are not necessarily well suited to address large-scale illegal commercial cannabis operations.

To strengthen enforcement mechanisms for local jurisdictions, AB 491 provides effectual tools for addressing illicit land use activities, including unlicensed cannabis operations. Specifically, AB 491: (1) establishes streamlined judicial reviewed for minor administrative penalties (under $25,000) imposed for unpermitted cannabis activities; (2) provides efficient collection of final penalty orders (i.e., after administrative/judicial review is complete), in the same manner presently used for pesticide enforcement fines; and (3) clarifies that priority of real property liens used to collect administrative penalties for these violations, by providing that such liens have the same priority as a judgement lien.

Local jurisdictions are a critical partner to successfully regulate the commercial cannabis marketplace. AB 491 will bolster safe access to the cannabis market by targeting enforcement against unlawful operators that undermine the legal marketplace and undercut local economies. In addition, funds from these actions will provide a much-needed source of revenue to reimburse local jurisdictions for the cost of enforcement activities.

For these reasons, we are pleased to support AB 491.

Sincerely,

[Signature]

cc: [Organization’s Assembly Representative]

[Organization’s Senate Representative]