



8/10/22

Senator Scott Wiener
1021 O Street
Sacramento, CA 95814

Re: OPPOSE SB 1186 (Wiener) - Medicinal Cannabis Patients’ Right of Access Act

Dear Senator Wiener,

The United Cannabis Business Association which represents cannabis retailers throughout California along with it’s regional partners The Long Beach Collective Association, The Coachella Valley Cannabis Alliance Network, The San Francisco Cannabis Retailers Alliance, as well as our partner associations representing Social Equity operators, Social Equity Los Angeles and the California Minority Alliance, **regret to inform you that we OPPOSE SB 1186 in its current form.**

We support transitioning California’s large illicit market to a legal and regulated market; however, we strongly believe that SB 1186 presents both clear and present consequences as well as additional unintended consequences to both industry and non-industry stakeholders of California.

We appreciate Senator Wiener's recent outreach to explain the intent of the bill to provide increased access to legal cannabis. And while we fully support the intent we have failed to be convinced that the bill’s language in its current form achieves that goal without causing harm to existing struggling cannabis businesses and damages the ongoing efforts to partner with our communities to implement responsible cannabis policy on a local level.

Our organizations represent the largest cannabis markets in California as well as some of the largest communities of social equity operators collectively still working towards growing their hopes and dreams in which they’ve invested considerable time and money into establishing a thriving and viable business. The State

of California recently recognized the dire nature of this industry as the legislature and Governor passed AB 195 to provide much needed tax relief which we hope will result in positive effects in the years to come.

SB 1186's attempt at expanding access to the legal market achieves that goal only through harming existing struggling cannabis operators composed overwhelmingly of small and social equity businesses by promoting the over concentration and dilution of existing markets where the industry has worked hand in hand with the local communities to establish responsible regulations.

Two of our primary concerns is that the bill prohibits local jurisdictions from limiting:

26302.

(1) The number of medicinal cannabis businesses authorized to deliver medicinal cannabis in the local jurisdiction.

(5) The establishment of physical premises from which retail sale by delivery of medicinal cannabis within the jurisdiction is conducted by a licensed nonstorefront retailer.

The language of this bill in its current form does nothing to suggest that local jurisdictions with established and existing legal cannabis markets would be exempt from these prohibitions.

In markets such as the City of Los Angeles and San Francisco where they have established operators including a large and expanding social equity program, this bill would promote the unfair competition, dilution, and over concentration of cannabis operators. Cities could not limit the number of delivery companies that could operate within their jurisdiction, nor could they prevent a delivery company from establishing a physical premises next to an existing storefront or nearly anywhere else in their city. In every established market local operators have earned the right to exist by respecting responsible local policies that determine zoning requirements, selection processes, and contribute to local community benefit funds. SB 1186 allows delivery providers to bypass, usurp, and undermine all those investments by existing operators and instead promotes unfair and unjust competition.

In Long Beach and more recently the Unincorporated County of Los Angeles, each has begun to provide licensure opportunities to qualified Social Equity applicants. Should this bill pass in its current form, it will promote large, well funded delivery companies to take advantage and establish themselves in these markets in advance of any other Social Equity operators having a chance to do so. We have requested that at minimum the bill be amended in such a way as to protect the investments by both the industry and the local communities in which they have worked together to establish a responsibly regulated legal market.

While the bill is noble in its attempt, we believe it has potential for severe unintended consequences and does not correctly represent the best and truest nature of the industry. For over 100 years we have struggled against prohibition, and time after time we have proven that cannabis is not the perceived great harm our government proclaimed it was. It took the HIV/AIDS epidemic and numerous remembered and forgotten advocates to showcase the medicinal benefits of cannabis which led to California being at the forefront of legalization through a vote of the people supporting Prop 215. More recently advocates showcased the harms of prohibition overwhelmingly targeting minorities and destroying families and generations that followed for something as simple as possession of small quantities of cannabis. Once again advocates were able to showcase that cannabis

wasn't the perceived harm our government continued to enforce against and the people voted to further legalize cannabis with Prop 64.

SB 1186, in its current form, forces a solution in a fashion that does not respect the industry's nature or its history. The industry has the ability and the duty to work with our communities to educate them on the truth. Forcing it upon them does not properly represent us.

We respectfully oppose the bill, and thank you for considering our concerns,



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