



May 22, 2024

The Honorable Maria Elena Durazo
Chair, Senate Local Government Committee
State Capitol, Room 407
Sacramento, CA 95814

**RE: Assembly Bill 491 (Wallis) – Support
As Amended September 13, 2023**

Dear Senator Durazo:

On behalf of Rural County Representatives of California (RCRC), California State Association of Counties (CSAC), the League of California Cities (Cal Cities), and the County of Santa Clara we write to express our strong support for Assembly Bill 491, which would enhance local enforcement mechanisms against unlicensed cannabis activities.

Communities throughout California, particularly rural and remote areas, 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 were primarily designed for ordinary zoning and building violations, and these processes are not always well suited to addressing 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 establishes: (1) streamlined judicial review for minor administrative penalties (under \$25,000) imposed for unpermitted cannabis activities; (2) efficient collection of final penalty order (i.e., after administrative/judicial review is complete), in the same manner presently used for pesticide enforcement fines; (3)

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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 judgment lien.

Local jurisdictions are a critical partner to successfully regulate the commercial cannabis. AB 491 will bolster safe access to the cannabis market through effective code enforcement tools to address unlawful operators that undermine the legal marketplace and undercut local economies.

For the above reasons, we are pleased to support AB 491 and urge your "Aye" vote when this measure is heard before your committee. Please do not hesitate to reach out with any questions.

Sincerely,



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cc: The Honorable Greg Wallis, Member
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