



RURAL COUNTY REPRESENTATIVES  
OF CALIFORNIA

April 10, 2023

The Honorable Richard Roth  
Chair, Senate Committee on Business, Professions and Economic Development  
1021 O Street, Room 3320  
Sacramento, California 95814

**RE: Senate Bill 820 (Alvarado-Gil) – SUPPORT  
As Amended March 21, 2023**

Dear Senator Roth:

On behalf of the Rural County Representatives of California (RCRC), we are pleased to support SB 820, authored by Senator Alvarado-Gil. This measure adapts the civil asset forfeiture provisions, currently applicable to unlicensed manufacturing of alcoholic beverages (i.e., moonshining), to cover unlicensed commercial cannabis activities.

The implementation of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), including the enforcement challenges surrounding the illicit cannabis market, have been ongoing challenges facing counties and cities for many years. California law currently does not have consequences strong enough to deter the widespread illegal commercial cannabis activities in many communities, including in jurisdictions with extension commercial cannabis activities.

In an investigative series published last year, the [Los Angeles Times](#) described the scale of the illicit market challenge as "immense" and highlighted the numerous consequences associated with illicit cannabis activity, including an increase in cannabis-related violence; worker exploitation; and environmental damage. In 2021, the California Department of Fish and Wildlife eradicated 2.6 million illegal cannabis plants, seized 794 firearms, removed over 32,000 lbs. of trash from public lands, and removed 404 illegal water diversions.<sup>1</sup> Moreover, the Unified Cannabis Enforcement Taskforce seized a combined total of \$9.5 million in cash, and a retail value of over \$1.3 *billion* in seized cannabis product in 2021 and 2022.<sup>2</sup>

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<sup>1</sup> <https://cannabis.ca.gov/2022/02/cdfw-releases-cannabis-enforcement-numbers-for-2021/>

<sup>2</sup> <https://cannabis.ca.gov/2023/03/enforcement-update/#:~:text=DCC%2Dled%20search%20warrant%20operations,2021%20and%2056%20in%202022.>

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The reality, unfortunately, is that many illicit cannabis operations are able to quickly recover following enforcement actions due to complicit landlords, exploitation of workers, and remaining specialty equipment used for the cultivation, manufacturing, and retail of illegal cannabis. Local jurisdictions often get calls within 24-48 hours after enforcement action that these bad actors are back in business. State and local enforcement efforts have minimal impact without addressing the underlining infrastructure that enable these lucrative illegal operations to bounce back quickly.

Existing law authorizes the seizure of property used in conjunction with the unlicensed manufacture of hard liquor (i.e., moonshining). Unlike drug forfeiture statutes, these laws are adapted to the fact that alcoholic beverages are not inherently unlawful. No criminal conviction is required, and anyone with an interest in the property is given an opportunity to prove in a civil proceeding that the property was not used unlawfully. This model is a needed tool to effectively curtail illicit cannabis operations that undercut a safe and legal marketplace.

SB 820 would bolster enforcement efforts against illicit cannabis operations by authorizing, through a civil enforcement process, the removal of the underlying infrastructure—such as specialized cultivation and manufacturing equipment—used for unlicensed cannabis activities. SB 820 gives law enforcement a way to disrupt the financial resources of unlicensed conspirators that allow illegal cannabis operations to thrive. In addition, the author's amendments before the committee would invest enforcement proceeds in the Cannabis Control Fund to support equity programs for legal operators that were negatively impacted by the war on drugs. It's vital to not only shut down bad actors but also support licensed cannabis businesses that enhance reliable access to regulated, tested cannabis in the legal market.

It is critical to ensure that the limited resources used to enforce against unlicensed cannabis operations be impactful. In addition to disrupting the operations themselves, civil asset forfeiture can also act as a deterrent to other illicit operators and promote entrance into the legal, regulated cannabis market. For these reasons, RCRC is pleased to support SB 820. If you have any questions, please contact Sarah Dukett (RCRC) at [sdukett@rcrcnet.org](mailto:sdukett@rcrcnet.org).

Sincerely,



Sarah Dukett  
Policy Advocate  
RCRC

cc: The Honorable Marie Alvarado-Gil, Member of the California State Senate

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Members of the Senate Business, Professions and Economic Development  
Committee  
Sarah Mason, Consultant, Senate Business, Professions and Economic  
Development Committee  
Kayla Williams, Consultant, Senate Republican Caucus