

EUNICE M. ULLOA  
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## CITY of CHINO

May 2, 2022

California State Senate  
The Honorable Connie Leyva  
1021 O Street, Suite 7610  
Sacramento, CA 95814

### ***Re: California Senate Bill 1186 (2021-2022 Regular Session)***

Honorable Senator Connie Leyva:

The City of Chino (“City”) respectfully submits this opposition letter for Senate Bill (“SB”) 1186. While the City recognizes that this proposed legislation exclusively pertains to commercial medical marijuana activities, it unfortunately has larger implications and will preempt a local City ordinance (City of Chino Ordinance No. 2017-012). Therefore, the City does not support this bill, and its expressed concerns regarding this bill is two-fold.

First, the proposed legislation renders large portions of the City’s marijuana polices invalid. The City’s current ordinance was enacted after considering all public input during a public hearing process; hence, SB 1186 subordinates the will of our local voters acting through their local representatives, and seemingly disregards their valued opinions on this matter.

Second, SB 1186 dismantles an ordinance that was drafted in good faith and done in a matter that reflects the legislative and statewide intent to preserve local control. As a brief background, in October 2015, the State Legislature adopted the Medical Cannabis Regulation and Safety Act (“MCRSA”). MCRSA established a regulatory system for commercial medical marijuana businesses; MCRSA also explicitly allowed local agencies to prohibit all categories of commercial medical marijuana businesses thereby preserving local control.

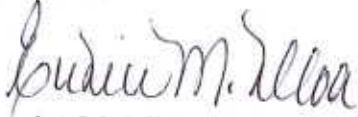
Then, in November 2016, California voters approved Proposition 64 legalizing limited personal use and possession of recreational marijuana while also creating a regulatory scheme for commercial recreational marijuana activity; however, Proposition 64 afforded cities the option to prohibit all permitted commercial marijuana businesses in their jurisdiction. Again, as affirmed by all California voters in this case, local control would be preserved.

Finally, in 2017, the State Legislature adopted the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”). MAUCRSA sought to create uniformity between the two co-existing medical and recreational marijuana regulatory schemes. Additionally, MAUCRSA relegated land use and regulatory authority over all (medical and recreational) commercial marijuana activity to local jurisdictions. Similarly, MAUCRSA also allowed local agencies to prohibit these uses in their entirety – once again, preserving local control, and the legal basis to the City’s current ordinance.



Hence, in reviewing past legislation as well as Statewide initiatives, the apparent objective has always been to allow commercial marijuana activities in communities that welcomed it while allowing other agencies to prohibit it. After years of legislation and Statewide initiatives, SB 1186 is an oversimplified, "one size fits all" approach to a commercial activity that already has a more reasonable and accommodating regulatory scheme. It is for these reasons that the City of Chino submits this letter of opposition and requests that you vote "No" on SB 1186.

Sincerely,

A handwritten signature in cursive script that reads "Eunice M. Ulloa".

Eunice M. Ulloa  
Mayor