

In 1996, California was the first to legalize cannabis as medicine with Proposition 215. Twenty-seven other states have followed in legalizing medical use, with seven states – California, Washington, Colorado, Oregon, Massachusetts, Nevada and Alaska (along with Washington, D.C.), approving recreational use.

In 2004, lawmakers passed the Medical Cannabis Program Act, which created identification cards for medical pot patients, as well as collective defenses against prosecution that gave rise to dispensaries — legal medical cannabis shops.

MCRSA (previously MMRSA), which passed in 2015, establishes a comprehensive licensing system across the state of California for the manufacturing, cultivation, distribution and use of medical marijuana that will be implemented starting January 1, 2018. This was the state legislation we closely worked on and helped secure its passage. Proposition 64, otherwise known as the Adult Use of Marijuana Act (AUMA), legalized the adult consumption of cannabis in the state of California

Below are some answers to some of the most frequently asked questions. These answers came from cannabis researchers Amanda Reiman (PhD, Social Welfare, UC Berkeley, manager of Cannabis Law and Policy at the Drug Policy Alliance), as well as Paul Armentano (Deputy Director of California NORML).

Q: Now that Proposition 64 has passed, what can people do differently today?

A: Adults 21 and over can legally consume cannabis without having a doctor's recommendation for medical use. They also can possess up to an ounce of cannabis buds or 8 grams of cannabis concentrates.

Q: What about growing cannabis?

A: The initiative immediately allows residents to grow as many as six pot plants at home, indoors or in enclosed structures. Local governments can ban outdoor cultivation as well as set standards for indoor cultivation. Renters may want to check with their landlords, since owners can set rules for what they will allow or prohibit in rental properties.

Q: Do cities that ban or regulate medical marijuana businesses need to update their ordinances to include non-medical cannabis?

A: Proposition 64 prohibits state licensing authorities from issuing a license to a commercial non-medical marijuana business if operation of the business violates a local ordinance of the jurisdiction in which the business will operate. This means that a city wishing to adopt business or land use regulations prohibiting or regulating commercial non-medical marijuana businesses must adopt an ordinance prior to the date the state begins issuing licenses, anticipated to be early 2018.

Q: When do regulations start?

A: In the next 45 days, the state of California will spend \$5 million on a public education campaign and \$30 million to pay for regulators to begin to draft rules for the legal cannabis industry. The first state rulemaking hearings should be announced in early 2017. Local cities and counties will also begin agendaizing cannabis regulation related items in the coming weeks.

Q: Can people consume cannabis in public?

A: No. Cannabis use is allowed only on private property, not in parks or on sidewalks or anywhere where smoking is banned. People using cannabis in a public place can be subject to a \$100 infraction. The fine increases to \$250 in no-smoking areas. Also, mere possession is banned in schools or youth centers.

Q: When – and where – will people be able to buy recreational cannabis?

A: Stores selling non-medical cannabis can open on or before Jan. 1, 2018, as a state program for retail licenses is implemented. Cannabis dispensaries can begin applying for temporary state licenses for recreational cannabis next year, but over-the-counter pot sales aren't expected until next summer. Cannabis products only can be sold at licensed dispensaries, not at supermarkets or liquor stores or other businesses.

Q: How much will recreational cannabis be taxed and will the taxes also apply to medical cannabis?

A: Proposition 64 will impose a 15 percent excise tax on cannabis sales that will be charged on top of state and local sales taxes. Medical cannabis users also will have to pay the new excise tax on medicinal products. But they can be exempted from sales taxes if they obtain California state medical cannabis identification cards by applying at county offices in their county of residence.

Q: What criminal penalties does Proposition 64 maintain or change?

A: Adults possessing more than an ounce of cannabis will continue to face misdemeanor charges, including a \$500 fine and up to six months in jail. Punishment for possession of cannabis for sale are being dropped from mandatory felonies and up to two years in jail to the same misdemeanor penalty. Adults 18 to 21 will continue to face a \$100 infraction for cannabis possession, while youths under 18 can get counseling or community service in lieu of a fine. Also, the initiative would allow people convicted of a cannabis offense that is no longer a crime to petition to have their records expunged.

Q: Cannabis is still illegal federally. How can it be legal in California?

A: While pot use and sales are still prohibited under federal law, the United States Justice Department in 2013 made landmark concessions, promising not to target lawful cannabis businesses or cannabis use in states that legalized pot and also enacted and enforced "robust" regulations governing state-permitted cannabis industries. The Justice Department said it would still target criminal operations trafficking cannabis across state lines, into the black market or to children.

Q: What are cannabis edibles? What are some rules around eating them?

A: Cannabis edibles are foods infused with the active ingredients in cannabis, THC and CBD. You should exercise caution when consuming edibles, because they can take far longer until onset of effects are felt, leading to people eating more edibles out of impatience. Wait two hours after eating any cannabis edibles before increasing your dose. If you over-ingest THC, the standard course of treatment is rest and hydration. Symptoms like dizziness, confusion, dysphoria and nausea should subside within a few hours.

Q: Can I be fired for on the job or off the job cannabis use?

A: Yes. Employers have the right to maintain a drug-free workplace under Prop. 64, meaning they can fire employees for showing up to work high or testing positive for cannabis byproducts in their urine — even if last use of cannabis was off-work hours days or weeks prior to testing.

Q: What are the penalties for breaking the new laws?

Smoking in public can be a \$100 fine, or \$250 for smoking pot where tobacco is banned (near schools, etc.). Rules against e-cigarettes apply to cannabis vaporizers.