



Legislation Details (With Text)

**File #:** 18-111  
**Type:** Consent Calendar                      **Status:** Passed  
**File created:** 6/6/2018                      **In control:** City Council/Public Financing Authority  
**On agenda:** 6/18/2018                      **Final action:** 6/18/2018  
**Title:** City Council Position on Legislation pending before the State Legislature as recommended by the City Council Intergovernmental Relations Committee (IRC)  
**Attachments:** 1. Att#1 - SB 10 Hertzberg, 2. Att#2 - SB 1302

Date	Ver.	Action By	Action	Result
6/18/2018	1	City Council/Public Financing Authority	approved	Pass

**REQUEST FOR CITY COUNCIL ACTION**

**SUBMITTED TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Fred A. Wilson, City Manager

**PREPARED BY:** Fred A. Wilson, City Manager

**Subject:**

**City Council Position on Legislation pending before the State Legislature as recommended by the City Council Intergovernmental Relations Committee (IRC)**

**Statement of Issue:**

On May 29, 2018, the Intergovernmental Relations Committee met and members recommended the following positions on pending legislation. This action requests City Council authorization for the Mayor to sign official City position letters.

**Financial Impact:**

There is no fiscal impact.

**Recommended Action:**

- A) Approve a City position of Oppose on Senate Bill 10 (Hertzberg) - Bail: Pretrial Release; and,
- B) Approve a City position of Oppose Senate Bill 1302 (Lara) - Cannabis - Local Jurisdiction: Prohibitions on Delivery.

**Alternative Action(s):**

Do not approve the recommended actions and direct staff accordingly.

**Analysis:**

The Intergovernmental Relations Committee (IRC) met to discuss pending legislation and regional issues. The Committee reviewed the 2018 State Legislative Matrix provided by the City's State Advocate, Townsend Public Affairs. The following is an analysis of bills/positions that the IRC voted

to take a position on.

➤ **OPPOSE - Senate Bill 10 (Hertzberg) - Bail: Pretrial Release**

This bill would dismantle California's longstanding bail system, replacing it with a costly and cumbersome alternative that could ultimately have a negative impact on public safety. California's current pretrial release procedures help to ensure that dangerous defendants are not released to commit new crimes or harm victims and witnesses before trial. Under these procedures, the court already has wide discretion to release a defendant on his or her own recognizance or to reduce bail for defendants that do not pose such risks. SB 10 would make it extremely difficult to achieve pretrial detention for dangerous defendants.

➤ **OPPOSE - Senate Bill 1302 (Lara) - Cannabis: Local Jurisdiction: Prohibitions on Delivery**  
This bill would force local jurisdictions to allow cannabis deliveries within their jurisdictions. The bill goes against the intent of the voters who passed Proposition 64 by removing a local jurisdictions ability to allow or ban cannabis deliveries. Existing law, as constructed by both the Medical and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and Proposition 64, states that local jurisdictions have the ability to adopt and enforce local ordinances to regulate cannabis businesses.

SB 1302 would fundamentally alter this pillar of cannabis legalization by prohibiting local jurisdictions from adopting or enforcing ordinances that would prohibit a cannabis licensee from delivering cannabis within or outside the boundaries of the City. Furthermore, SB 1302 removes the ability for local jurisdictions to decide what is appropriate for their communities by removing their authority to ban deliveries.

**Environmental Status:**

Not applicable.

**Strategic Plan Goal:**

Improve quality of life

**Attachment(s):**

1. SB 10 (Hertzberg)
2. SB 1302 (Lara)