



NOSSAMAN LLP | Memorandum

TO: The Honorable Kevin McCarty, Chair
Assembly Public Safety Committee

FROM: Nossaman LLP on behalf of the Monterey County Board of Supervisors

DATE: June 14, 2024

RE: **SB 820 (Alvarado-Gil) Cannabis; enforcement: seizure of property – SUPPORT**

The County of Monterey is pleased to support Senate Bill (SB) 820 by Senator Marie Alvarado-Gil. This measure would allow the Department of Cannabis Control (DCC) or any local jurisdiction to seize implements, instruments, vehicles, currency, or personal property in the place or building, or within any yard or enclosure, where commercial cannabis activity is conducted without a license. It also states that the DCC or any local jurisdiction may seize an automobile or other vehicle used to conceal, convey, carry, deliver, or transport cannabis or cannabis products by or for a person engaging in commercial cannabis activity without a license.

Despite the existence and regulation of a legal cannabis industry in California following the approval of Proposition 64, the illicit cannabis industry persists. One recent study estimated that the black market still accounts for roughly two-thirds of the state's cannabis sales.¹

In 2021, the California Department of Fish and Wildlife eradicated 2.6 million illegal cannabis plants, seized 794 firearms, removed over 32,000 pounds of trash from public lands, and removed 404 illegal water diversions. 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 2022.²

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. State and local enforcement efforts have minimal impact without addressing the underlining infrastructure that enable these lucrative illegal operations to bounce back quickly.

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. It gives law enforcement a way to disrupt the financial resources of unlicensed conspirators that allow illegal cannabis operations to thrive. SB 820 will also bolster safe access to the cannabis market by targeting enforcement against unlawful operators that undermine the legal marketplace and jeopardize the public's health and safety.

¹ "A New Report Explains How California Screwed Up Marijuana Legalization." 5 May 2022. Reason Magazine. [A New Report Explains How California Screwed Up Marijuana Legalization \(reason.com\)](https://reason.com)

² "California Department of Fish and Wildlife releases cannabis enforcement numbers for 2021." <https://cannabis.ca.gov/2022/02/cdfw-releases-cannabis-enforcement-numbers-for-2021/>; "California Department of Cannabis Control releases cannabis enforcement operation statistics for 2021 and 2022, reports surge in efforts to dismantle illicit market." <https://cannabis.ca.gov/2023/03/enforcement-update/#:~:text=DCC-led%20search%20warrant%20operations,2021%20and%2056%20in%202022>

It's vital to not only shut down bad actors, but to support licensed cannabis businesses that enhance reliable access to regulated, tested cannabis in the legal market. It is for these reasons that the County of Monterey supports SB 820. Should you have any questions, please feel free to contact the County of Monterey's Public Policy Advisor, Ashley Walker of Nossaman LLP at 916-442-8888.

Sincerely,



Ashley Walker
Nossaman LLP

CC: Hon. Marie Alvarado-Gil, Author, California State Senate
Members, Assembly Public Safety Committee
Consultant, Assembly Public Safety Committee
Hon. Dawn Addis, 30th Assembly District
Hon. Anna Caballero, 14th Senate District, Author
Hon. John Laird, 17th Senate District
Hon. Speaker Robert Rivas, 29th Assembly District
California State Association of Counties (CSAC)
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