

1 [Administrative Code - Establishing Cannabis State Legalization Task Force]

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3 **Ordinance amending the Administrative Code to establish the Cannabis State**
4 **Legalization Task Force to advise the Board of Supervisors, the Mayor, and City**
5 **departments regarding the local impacts of possible state legislation legalizing adult**
6 **use of cannabis; and setting forth the membership and duties of the Task Force.**

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8 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
9 **Additions to Codes** are in *single-underline italics Times New Roman font*.
10 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~strikethrough Arial font~~.
13 **Asterisks (* * * *)** indicate the omission of unchanged Code
14 subsections or parts of tables.

15 Be it ordained by the People of the City and County of San Francisco:

16 The Administrative Code is hereby amended by adding Article II, Sections 5.2-1
17 through 5.2-7, to Chapter 5, to read as follows:

18 **ARTICLE II:**

19 **CANNABIS STATE LEGALIZATION TASK FORCE**

20 *Sec. 5.2-1. Creation of Task Force.*

21 *Sec. 5.2-2. Purpose.*

22 *Sec. 5.2-3. Membership.*

23 *Sec. 5.2-4. Organization and Terms of Office.*

24 *Sec. 5.2-5. Powers and Duties.*

25 *Sec. 5.2-6. Meetings and Procedures.*

Sec. 5.2-7. Sunset.

1 **SEC. 5.2-1. CREATION OF TASK FORCE.**

2 The Board of Supervisors hereby establishes the Cannabis State Legalization Task Force (the
3 “Task Force”) of the City and County of San Francisco.

4
5 **SEC. 5.2-2. PURPOSE.**

6 The Board of Supervisors anticipates that the State of California may consider legalizing and
7 regulating adult use and possession of cannabis as soon as 2016. If the State legalizes adult use and
8 possession of cannabis, the City will face a number of policy questions about the local implementation
9 and enforcement of the new State law. These policy questions, and their answers, will depend on the
10 content of the State law. As proposals develop in the State Legislature and through the ballot measure
11 process, the City should follow and study them in order to be prepared for eventual legalization. The
12 purpose of the Task Force shall be to advise the Board of Supervisors, the Mayor, and other City
13 departments on matters relating to the potential legalization of cannabis so that the City’s
14 policymakers are fully prepared to address the policy questions, through legislation, administrative
15 actions, and otherwise, following the adoption of a State law.

16
17 **SEC. 5.2-3. MEMBERSHIP.**

18 The Task Force shall consist of 19 members, appointed as follows:

19 (a) Seat 1 shall be held by the Director of the Department of Public Health or his or
20 her designee.

21 (b) Seat 2 shall be held by the Chief of the Fire Department or his or her designee.

22 (c) Seat 3 shall be held by the Chief of the Police Department or his or her designee.

23 (d) Seat 4 shall be held by the Director of the Department of Building Inspection or
24 his or her designee.

25 (e) Seat 5 shall be held by the Director of Planning or his or her designee.

1 (f) Seat 6 shall be held by the Superintendent of the San Francisco Unified School
2 District or his or her designee. If at any time the Superintendent declines to serve or appoint a
3 designee and leaves the seat vacant for 60 days or longer, the Board of Supervisors may appoint a
4 member of the public to fill the seat until such time as the Superintendent designates a member.

5 (g) Seat 7 shall be held by an individual with at least two years of experience
6 working in the cannabis industry, appointed by the Board of Supervisors.

7 (h) Seat 8 shall be held by an owner or operator of a medical cannabis dispensary,
8 appointed by the Board of Supervisors.

9 (i) Seat 9 shall be held by an individual who uses cannabis for medicinal purposes,
10 appointed by the Board of Supervisors.

11 (j) Seat 10 shall be held by an individual who uses cannabis, appointed by the
12 Board of Supervisors.

13 (k) Seat 11 shall be held by the owner of a small business in San Francisco,
14 appointed by the Board of Supervisors.

15 (l) Seat 12 shall be held by an individual with experience working for or on behalf
16 of the interests of businesses in San Francisco, appointed by the Board of Supervisors.

17 (m) Seat 13 shall be held by an individual with experience working to advance the
18 tourism or hospitality industry in San Francisco, appointed by the Board of Supervisors.

19 (n) Seats 14 and 15 shall be held by individuals who represent neighborhood
20 associations, appointed by the Board of Supervisors.

21 (o) Seat 16 shall be held by an individual with experience in public health advocacy
22 focusing on drug policy, appointed by the Board of Supervisors.

23 (p) Seat 17 shall be held by an individual working in the entertainment or nightlife
24 industry, appointed by the Board of Supervisors.

1 (q) Seat 18 shall be held by a representative of a labor union that represents
2 employees working in the cannabis industry, appointed by the Board of Supervisors.

3 (r) Seat 19 shall be held by a public policy expert working for an organization
4 focused on the formulation of good public policy, appointed by the Board of Supervisors.

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6 **SEC. 5.2-4. ORGANIZATION AND TERMS OF OFFICE.**

7 (a) Each member in Seats 7 through 19 shall serve for a term of one year. The initial term
8 for each seat shall begin on August 31, 2015. At the end of the one-year term, the Board of Supervisors
9 may in its discretion reappoint the member by written motion without soliciting applications from
10 additional applicants. Each of these members shall serve at the pleasure of the Board of Supervisors
11 and may be removed by the Board of Supervisors at any time.

12 (b) If a vacancy occurs in Seats 6 through 19 on the Task Force, the appointing authority
13 for the vacated seat shall appoint a successor to that seat.

14 (c) Service on the Task Force shall be voluntary and members shall receive no
15 compensation, except that the members in Seats 1 through 6 may receive their regular salaries for time
16 spent on the Task Force if they are serving in an official capacity as representatives of their
17 departments or, in the case of Seat 6, as a representative of the San Francisco Unified School District.

18 (d) Any member in Seats 7 through 19 who misses three regular meetings of the Task Force
19 within a six-month period without the express approval of the Task Force at or before each missed
20 meeting shall be deemed to have resigned from the Task Force ten days after the third unapproved
21 absence. The Task Force shall inform the Clerk of the Board of each such resignation.

22 (e) The Department of Public Health shall provide clerical and administrative support and
23 staffing for the Task Force.

1 **SEC. 5.2-5. POWERS AND DUTIES.**

2 (a) The general purpose of the Task Force shall be to provide advice to the Board of
3 Supervisors, the Mayor, and other City departments regarding the eventual implementation and
4 enforcement of a possible State law legalizing adult use of cannabis.

5 (b) No later than one year after its inaugural meeting and at least once in the 12 months
6 thereafter, the Task Force shall submit to the Board of Supervisors a report describing legislative
7 activity in the State Legislature regarding possible legalization of cannabis; the Task Force's findings
8 regarding legal, social, land use, and enforcement issues that are likely to arise in San Francisco if the
9 State adopts proposed legislation through the legislative or electoral process; and recommendations
10 regarding local implementation and enforcement of that potential legislation.

11 (c) All City departments, commissions, boards, and agencies shall cooperate with the Task
12 Force in conducting its business.

13 (d) The Task Force shall have no authority to exercise the sovereign powers of the City, and
14 shall serve purely as an advisory body. Additionally, the Task Force shall take no formal position on
15 the merits of proposed ballot measures regarding cannabis legalization once those measures have been
16 submitted to the voters in an initiative petition or on the ballot.

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18 **SEC. 5.2-6. MEETINGS AND PROCEDURES.**

19 (a) The Task Force shall hold its inaugural meeting not more than 30 days after a quorum
20 of the Task Force, defined as a majority of seats, has been appointed. There shall be at least ten days'
21 notice of the inaugural meeting. Following the inaugural meeting, the Task Force shall hold a regular
22 meeting not less than five times per year.

23 (b) The Task Force shall elect its own officers and may establish rules for its own
24 organization and procedures.

1 **SEC. 5.2-7. SUNSET.**

2 *Unless the Board of Supervisors by ordinance extends the term of the Task Force, this Article II*
3 *shall expire by operation of law, and the Task Force shall terminate, two years after the effective date*
4 *of Ordinance No. _____ establishing the Task Force. After that date, the City Attorney shall cause*
5 *this Article to be removed from the Administrative Code.*

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7 Section 2. Effective Date. This ordinance shall become effective 30 days after
8 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
9 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
10 of Supervisors overrides the Mayor's veto of the ordinance.

11
12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By: _____
15 JON GIVNER
16 Deputy City Attorney

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