

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 ~~*italics Times New Roman font*~~.
11 **Board amendment additions** are in double-underlined Arial font.
12 **Board amendment deletions** are in ~~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:

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

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ARTICLE II:

20

CANNABIS STATE LEGALIZATION TASK FORCE

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Sec. 5.2-1. Creation of Task Force.

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Sec. 5.2-2. Purpose.

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Sec. 5.2-3. Membership.

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

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Sec. 5.2-5. Powers and Duties.

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Sec. 5.2-6. Meetings and Procedures.

27

Sec. 5.2-7. Sunset.

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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.

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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.

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

18 The Task Force shall consist of 22 members, of which seats 1 through 7 shall be non-voting
19 members, appointed as follows:

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

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

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

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

- 1 (e) Seat 5 shall be held by the Director of Planning or his or her designee.
- 2 (f) Seat 6 shall be held by the Executive Director of the Entertainment Commission
3 or his or her designee.
- 4 (g) Seat 7 shall be held by the Executive Director of the California Board of
5 Equalization or his or her designee. If at any time the Executive Director declines to serve or appoint a
6 designee and leaves the seat vacant for 60 days or longer, the Board of Supervisors may appoint a
7 member of the public to fill the seat until such time as the Executive Director designates a member.
- 8 (h) Seat 8 shall be held by the Superintendent of the San Francisco Unified School
9 District or his or her designee which may include a Member of the Board of Education. If at any time
10 the Superintendent declines to serve or appoint a designee and leaves the seat vacant for 60 days or
11 longer, the Board of Supervisors may appoint a member of the public to fill the seat until such time as
12 the Superintendent designates a member.
- 13 (i) Seat 9 shall be held by an individual with at least two years of experience
14 working in the cannabis industry, appointed by the Board of Supervisors.
- 15 (j) Seat 10 shall be held by an owner or operator of a medical cannabis dispensary,
16 appointed by the Board of Supervisors.
- 17 (k) Seat 11 shall be held by an individual who uses cannabis for medicinal purposes
18 and has at least two years of cannabis legalization advocacy experience, appointed by the
19 Board of Supervisors.
- 20 (l) Seat 12 shall be held by an individual who uses cannabis and has at least two
21 years of cannabis legalization advocacy experience, appointed by the Board of Supervisors.
- 22 (m) Seat 13 shall be held by the owner of a small business in San Francisco,
23 appointed by the Board of Supervisors.
- 24 (n) Seat 14 shall be held by an individual with experience working for or on behalf
25 of the interests of businesses in San Francisco, appointed by the Board of Supervisors.

1 (o) Seat 15 shall be held by an individual with experience working to advance the
2 tourism or hospitality industry in San Francisco, appointed by the Board of Supervisors.

3 (p) Seats 16 and 17 shall be held by individuals who represent neighborhood
4 associations, appointed by the Board of Supervisors.

5 (q) Seat 18 shall be held by an individual with experience in public health advocacy
6 focusing on drug policy, appointed by the Board of Supervisors.

7 (r) Seat 19 shall be held by an individual working in the entertainment or nightlife
8 industry, appointed by the Board of Supervisors.

9 (s) Seat 20 shall be held by a representative of a labor union that represents
10 employees working in the cannabis industry, appointed by the Board of Supervisors.

11 (t) Seat 21 shall be held by a public policy expert working for an organization
12 focused on the formulation of good public policy, appointed by the Board of Supervisors.

13 (u) Seat 22 shall be held by an individual between the ages of 21 and 30 at the time
14 of appointment, appointed by the Board of Supervisors.

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

17 (a) Each member in Seats ~~79~~ through ~~49~~ 22 shall serve for a term of one year. The initial
18 term for each seat shall begin on August 31, 2015. At the end of the one-year term, the Board of
19 Supervisors may in its discretion reappoint the member by written motion without soliciting
20 applications from additional applicants. Each of these members shall serve at the pleasure of the
21 Board of Supervisors and may be removed by the Board of Supervisors at any time.

22 (b) If a vacancy occurs in Seats ~~79~~ through ~~49~~ 22 on the Task Force, the appointing
23 authority for the vacated seat shall appoint a successor to that seat.

24 (c) Service on the Task Force shall be voluntary and members shall receive no
25 compensation, except that the members in Seats 1 through ~~68~~ may receive their regular salaries for

1 time spent on the Task Force if they are serving in an official capacity as representatives of their
2 departments or, in the case of Seats ~~7~~ and ~~8-6~~, as a representative of the California Board of
3 Equalization or the San Francisco Unified School District.

4 (d) Any member in Seats ~~7~~ through ~~19~~ 22 who misses three regular meetings of the Task
5 Force within a six-month period without the express approval of the Task Force at or before each
6 missed meeting shall be deemed to have resigned from the Task Force ten days after the third
7 unapproved absence. The Task Force shall inform the Clerk of the Board of each such resignation.

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

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

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

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

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

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

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

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

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

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12 **SEC. 5.2-7. SUNSET.**

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

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

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4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: _____
7 JON GIVNER
8 Deputy City Attorney

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