BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

June 6, 2024

The Honorable Gavin Newsom
Governor of the State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 281-24

Dear Governor Newsom:

On May 14, 2024, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 281-24 (Supporting California State Assembly Bill No. 1775 (Haney) - Cannabis Cafes), which was enacted on May 24, 2024.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 281-24 (File No. 240479)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board

ll:jw:ak:ams

c. Members of the Board of Supervisors; Supervisors Rafael Mandelman, Dean Preston
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Eileen F. Mariano, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw Yoder Antwih Schmelzer & Lange

FILE NO. 240479 RESOLUTION NO. 281-24

[Supporting California State Assembly Bill No. 1775 (Haney) - Cannabis Cafes]

Resolution supporting California State Assembly Bill No. 1775, introduced by Assembly Member Matt Haney, which would authorize a local jurisdiction, if specified conditions are met, to allow for the preparation or sale of non-cannabis food or beverage products, as specified, by a licensed retailer or microbusiness in the area where the consumption of cannabis is allowed, and to sell tickets for live music or other performances on the premises.

WHEREAS, Local, state, and federal regulations in addition to an overly-burdensome tax structure, are crippling California's cannabis industry; and

WHEREAS, Since 1970, marijuana has been classified as a Schedule I drug under the Controlled Substances Act, a designation that places it in the most strictly regulated category of drugs under federal rules; and

WHEREAS, Schedule I designation precludes legal cannabis businesses from deducting ordinary business expenses; and

WHEREAS, On May 1, 2024, President Biden and the Drug Enforcement Agency announced the federal government would recommend the reclassification of cannabis as a Schedule III drug, defined as a drug with moderate to low potential for physical and psychological dependence; and

WHEREAS, Legal cannabis dispensaries struggle to compete against the illicit cannabis market, which offers cannabis products at a much lower price and does not follow environmental, distribution, cannabis regulation, and taxation laws; and

WHEREAS, Multiple reports have shown that the legal cannabis market is making less revenue than the illicit market; and

WHEREAS, Illegal cannabis cultivators, distributors, and dealers pay nothing in taxes, don't apply for business permits, and don't comply with the rigorous quality control to which legal operators are subject; and

WHEREAS, Assembly Bill No. 1775 is an attempt to level the playing field for a legal cannabis industry that is forced to compete with a thriving illicit cannabis market; and

WHEREAS, The illegal sale of cannabis is extremely profitable in California with illegal sellers choosing to simply ignore costly regulations, product testing, permitting, and taxation; and

WHEREAS, California's legal cannabis sales reached $4 billion in 2020, while illegal sales are believed to have surpassed $8 billion that same year; and

WHEREAS, Lounges and dispensaries need additional pathways for revenue, and current restrictions on cannabis small operators are harming these businesses; as an example, cannabis establishments are not allowed to host ticketed events under current State and local rules; and

WHEREAS, Last year, the Legislature overwhelmingly supported the passage of Assembly Bill No. 374 (Haney) to allow cannabis dispensaries - with permission from local governments - to convert their businesses into cafes where they could sell food and cannabis products and host live concerts; and

WHEREAS, Governor Gavin Newsom vetoed Assembly Bill No. 374, citing concerns about worker health, specifically regarding the provision of a smoke-free workplace; and

WHEREAS, At the Governor's urging, Assembly Member Haney worked with the Department of Cannabis Control and the Governor's office, to address those concerns and drafted a bill that allows Cannabis Cafes but protects workers' health; and

WHEREAS, Assembly Bill No. 1775, guarantees workplace protections, such as proper ventilation, and separation of smoking lounge and kitchen prep areas; and

WHEREAS, Assembly Bill No. 1775, would further cement San Francisco's role as a culinary, cultural, and entertainment capital for residents and tourists alike; and

WHEREAS, The changes called for in Assembly Bill No. 1775 have wide support among legal cannabis businesses and trade groups; now, therefore be it

RESOLVED, The San Francisco Board of Supervisors supports Assembly Bill No. 1775 which would permit sale of non-cannabis-infused food and non-alcoholic drinks at cannabis retail businesses and also allow the establishments to host ticketed events; and

FURTHER RESOLVED, That the Clerk of the Board of Supervisors of the City and County of San Francisco distribute this Resolution to San Francisco's State Legislative Delegation and California Governor Gavin Newsom.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 240479 **Date Passed:** May 14, 2024

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May 14, 2024 Board of Supervisors - ADOPTED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Ronen, Safai, Stefani and Walton
Excused: 1 - Melgar

File No. 240479

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2024 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

5/24/2024

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

5/24/2024

Date

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TDD/TTY No. (415) 554-5227

June 6, 2024

The Honorable Scott Wiener
California State Senator
California State Capitol
1021 O Street, Suite 8620
Sacramento, CA 95814-4900

Re: Board of Supervisors Resolution No. 281-24

Dear Senator Wiener:

On May 14, 2024, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 281-24 (Supporting California State Assembly Bill No. 1775 (Haney) - Cannabis Cafes), which was enacted on May 24, 2024.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

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Sincerely,

Angela Calvillo
Clerk of the Board

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c. Members of the Board of Supervisors; Supervisors Rafael Mandelman, Dean Preston
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Eileen F. Mariano, Mayor's Manager of State and Federal Legislative Affairs
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FILE NO. 240479 RESOLUTION NO. 281-24

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WHEREAS, Local, state, and federal regulations in addition to an overly-burdensome tax structure, are crippling California's cannabis industry; and

WHEREAS, Since 1970, marijuana has been classified as a Schedule I drug under the Controlled Substances Act, a designation that places it in the most strictly regulated category of drugs under federal rules; and

WHEREAS, Schedule I designation precludes legal cannabis businesses from deducting ordinary business expenses; and

WHEREAS, On May 1, 2024, President Biden and the Drug Enforcement Agency announced the federal government would recommend the reclassification of cannabis as a Schedule III drug, defined as a drug with moderate to low potential for physical and psychological dependence; and

WHEREAS, Legal cannabis dispensaries struggle to compete against the illicit cannabis market, which offers cannabis products at a much lower price and does not follow environmental, distribution, cannabis regulation, and taxation laws; and

WHEREAS, Multiple reports have shown that the legal cannabis market is making less revenue than the illicit market; and

WHEREAS, Illegal cannabis cultivators, distributors, and dealers pay nothing in taxes, don't apply for business permits, and don't comply with the rigorous quality control to which legal operators are subject; and

WHEREAS, Assembly Bill No. 1775 is an attempt to level the playing field for a legal cannabis industry that is forced to compete with a thriving illicit cannabis market; and

WHEREAS, The illegal sale of cannabis is extremely profitable in California with illegal sellers choosing to simply ignore costly regulations, product testing, permitting, and taxation; and

WHEREAS, California's legal cannabis sales reached $4 billion in 2020, while illegal sales are believed to have surpassed $8 billion that same year; and

WHEREAS, Lounges and dispensaries need additional pathways for revenue, and current restrictions on cannabis small operators are harming these businesses; as an example, cannabis establishments are not allowed to host ticketed events under current State and local rules; and

WHEREAS, Last year, the Legislature overwhelmingly supported the passage of Assembly Bill No. 374 (Haney) to allow cannabis dispensaries - with permission from local governments - to convert their businesses into cafes where they could sell food and cannabis products and host live concerts; and

WHEREAS, Governor Gavin Newsom vetoed Assembly Bill No. 374, citing concerns about worker health, specifically regarding the provision of a smoke-free workplace; and

WHEREAS, At the Governor's urging, Assembly Member Haney worked with the Department of Cannabis Control and the Governor's office, to address those concerns and drafted a bill that allows Cannabis Cafes but protects workers' health; and

WHEREAS, Assembly Bill No. 1775, guarantees workplace protections, such as proper ventilation, and separation of smoking lounge and kitchen prep areas; and

WHEREAS, Assembly Bill No. 1775, would further cement San Francisco's role as a culinary, cultural, and entertainment capital for residents and tourists alike; and

WHEREAS, The changes called for in Assembly Bill No. 1775 have wide support among legal cannabis businesses and trade groups; now, therefore be it

RESOLVED, The San Francisco Board of Supervisors supports Assembly Bill No. 1775 which would permit sale of non-cannabis-infused food and non-alcoholic drinks at cannabis retail businesses and also allow the establishments to host ticketed events; and

FURTHER RESOLVED, That the Clerk of the Board of Supervisors of the City and County of San Francisco distribute this Resolution to San Francisco's State Legislative Delegation and California Governor Gavin Newsom.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 240479 **Date Passed:** May 14, 2024

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May 14, 2024 Board of Supervisors - ADOPTED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Ronen, Safai, Stefani and Walton
Excused: 1 - Melgar

File No. 240479

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2024 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

5/24/2024

Date Approved

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Angela Calvillo
Clerk of the Board

5/24/2024

Date

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June 6, 2024

The Honorable Phil Ting
California State Assembly Member
California State Capitol
1021 O Street, Suite 5220
P.O. Box 942849
Sacramento, CA 94249-0019

Re: Board of Supervisors Resolution No. 281-24

Dear Assembly Member Ting:

On May 14, 2024, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 281-24 (Supporting California State Assembly Bill No. 1775 (Haney) - Cannabis Cafes), which was enacted on May 24, 2024.

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If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,

Angela Calvillo
Clerk of the Board

ll:jw:ak:ams

c. Members of the Board of Supervisors; Supervisors Rafael Mandelman, Dean Preston
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Eileen F. Mariano, Mayor's Manager of State and Federal Legislative Affairs
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FILE NO. 240479 RESOLUTION NO. 281-24

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WHEREAS, Local, state, and federal regulations in addition to an overly-burdensome tax structure, are crippling California's cannabis industry; and

WHEREAS, Since 1970, marijuana has been classified as a Schedule I drug under the Controlled Substances Act, a designation that places it in the most strictly regulated category of drugs under federal rules; and

WHEREAS, Schedule I designation precludes legal cannabis businesses from deducting ordinary business expenses; and

WHEREAS, On May 1, 2024, President Biden and the Drug Enforcement Agency announced the federal government would recommend the reclassification of cannabis as a Schedule III drug, defined as a drug with moderate to low potential for physical and psychological dependence; and

WHEREAS, Legal cannabis dispensaries struggle to compete against the illicit cannabis market, which offers cannabis products at a much lower price and does not follow environmental, distribution, cannabis regulation, and taxation laws; and

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WHEREAS, Illegal cannabis cultivators, distributors, and dealers pay nothing in taxes, don't apply for business permits, and don't comply with the rigorous quality control to which legal operators are subject; and

WHEREAS, Assembly Bill No. 1775 is an attempt to level the playing field for a legal cannabis industry that is forced to compete with a thriving illicit cannabis market; and

WHEREAS, The illegal sale of cannabis is extremely profitable in California with illegal sellers choosing to simply ignore costly regulations, product testing, permitting, and taxation; and

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RESOLVED, The San Francisco Board of Supervisors supports Assembly Bill No. 1775 which would permit sale of non-cannabis-infused food and non-alcoholic drinks at cannabis retail businesses and also allow the establishments to host ticketed events; and

FURTHER RESOLVED, That the Clerk of the Board of Supervisors of the City and County of San Francisco distribute this Resolution to San Francisco's State Legislative Delegation and California Governor Gavin Newsom.

City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 240479 **Date Passed:** May 14, 2024

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May 14, 2024 Board of Supervisors - ADOPTED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Ronen, Safai, Stefani and Walton
Excused: 1 - Melgar

File No. 240479

I hereby certify that the foregoing Resolution was ADOPTED on 5/14/2024 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

5/24/2024

Date Approved

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Angela Calvillo
Clerk of the Board

5/24/2024

Date

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June 6, 2024

The Honorable Matt Haney
California State Assembly Member
California State Capitol
1021 O Street, Suite 5740
P.O. Box 942849
Sacramento, CA 94249-0017

Re: Board of Supervisors Resolution No. 281-24

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City and County of San Francisco
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Resolution

City Hall
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File Number: 240479 **Date Passed:** May 14, 2024

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May 14, 2024 Board of Supervisors - ADOPTED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Peskin, Preston, Ronen, Safai, Stefani and Walton
Excused: 1 - Melgar

File No. 240479

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Angela Calvillo
Clerk of the Board

Unsigned

London N. Breed
Mayor

5/24/2024

Date Approved

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5/24/2024

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