

**ASSEMBLY BILL**

**No. 2614**

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**Introduced by Assembly Member Bonta**

February 19, 2016

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An act to amend Section 19325 of the Business and Professions Code, relating to medical cannabis.

LEGISLATIVE COUNSEL'S DIGEST

AB 2614, as introduced, Bonta. Medical cannabis: state licenses: out-of-state convictions.

The Medical Marijuana Regulation and Safety Act provides for the licensure of persons engaged in specified activities relating to medical cannabis and authorizes licensing authorities to only issue state licenses to qualified applicants. Existing law prohibits a person from engaging in commercial cannabis activity without possessing both a state license and a local permit, license, or other authorization.

This bill would prohibit the denial of a state license to an applicant if the denial is based solely on a conviction outside of the state of California where the sentencing did not include a period of incarceration, but only if a local government with knowledge of that prior conviction issues a permit, license, or other authorization permitting the applicant to engage in commercial cannabis activity.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 19325 of the Business and Professions
- 2 Code is amended to read:

1     19325. An applicant shall not be denied a state license if the  
2 denial is based solely on any of the following:

3     (a) A conviction or act that is substantially related to the  
4 qualifications, functions, or duties of the business or profession  
5 for which the application is made for which the applicant or  
6 licensee has obtained a certificate of rehabilitation pursuant to  
7 Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part  
8 3 of the Penal Code.

9     (b) A conviction that was subsequently dismissed pursuant to  
10 Section 1203.4, 1203.4a, or 1203.41 of the Penal Code.

11     (c) *A conviction outside of the state of California where the*  
12 *sentencing did not include a period of incarceration, but only if a*  
13 *local government with knowledge of that prior conviction issues*  
14 *a permit, license, or other authorization permitting the applicant*  
15 *to engage in commercial cannabis activity.*