

THE STATE OF CANNABIS POLICY IN CALIFORNIA'S CITIES & COUNTIES



Advancing Public Health & Equity in Cannabis Policy

PRESS RELEASE

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California's Local Cannabis Policies Can't Keep Pace With Surging Sales, Leaving Public Health and Equity Behind

Scorecards Reveal Pathway Forward for Cities and Counties

OAKLAND, CALIF., DECEMBER 2, 2021 ... While legal cannabis sales in California are increasing dramatically, local policy efforts to protect youth and public health have lagged behind, according to a statewide study conducted by the Public Health Institute's Getting it Right from the Start Project.

The Project, which generates scorecards evaluating policies passed by cities and counties that allow cannabis sales, found only limited progress in cannabis policy since 2020, with many jurisdictions not yet opting to go beyond basic state law to promote public health, protect youth or advance social equity.

"Until the state takes up its responsibilities to protect our kids, it falls on local governments to do what's necessary to protect our public health and prevent the cannabis industry from evolving into yet another 'Big Tobacco,'" says Dr. Lynn Silver, MD, MPH, the Project's Principal Investigator. "These scorecards provide a clear roadmap for cities and counties."

Some local governments are choosing to lead the way, taxing more dangerous high potency products and prohibiting flavored products—such as flavored grape vaping cartridges and strawberry "pre-rolls"—known to attract youth, and capping the number of retailers to avoid oversaturation. While 52 percent of all jurisdictions in the state allow some form of legal cannabis retail, only three of them, Contra Costa County and the cities of San Luis Obispo and El Monte, scored at or above 50 out of a possible 100 points on the scorecard, with a statewide average score of 17.1 across all jurisdictions allowing any form of retail sales. Turlock improved the most, rising from 11 to 31 points from 2020 to 2021.

"The legal market in California is growing," says Dr. Alisa Padon, the Project's research director. "Sales, and consequently tax revenue, grew by 55 percent in just the past year, with the number of licensed retailers skyrocketing to 1,361. Yet the state and many local jurisdictions have failed to put in the urgently needed guardrails necessary to protect kids and public health, or advance social equity. Some communities are beginning to step up to the plate, but many more need to take action."

Based on a 100-point scale and three years of data, the [scorecards](#) measure 27 storefront-specific and 24 delivery-specific local policies across six categories: retailer requirements, taxes and prices, product limits, marketing, smoke-free air, and equity and conflicts of interest. PHI worked with state and national subject matter experts, including cannabis businesses, regulatory officials, policymakers, municipalities and community partners, to identify best practices that can help communities better safeguard their youth and support social equity through passage of more thoughtful and effective cannabis policies.

Again, San Luis Obispo scored highest of all by limiting the number of retailers and distancing them from places that serve youth. Contra Costa County showed statewide leadership by prohibiting the sale of

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flavored products for inhalation or combustion, widely known to hook kids. El Monte dedicated tax revenue to youth programs and addiction prevention, established equity laws and limited marketing. The top scorer among delivery-only jurisdictions, San Benito County, with 39 points, only allows deliverers located outside the county to serve residents and established a licensing program, restricted delivery locations, prohibited billboards, blocked temporary events and passed a local tax.

“The practical information these scorecards offer is indispensable to cities and counties, and was used to formulate our local rules,” says Rryn Schumacher, deputy director of Public Health for Santa Barbara County. “Local governments’ decisions over the next few years will be critical. If we do this right, we can provide safer legal access while reversing increases in youth vaping and use of marijuana. But without swift action, we could expose our young people to harm for decades to come.”

The Project found that by January of 2021, 173 of California's 539 cities and counties allowed storefront sales of cannabis, and an additional 108 allowed sales by delivery only. Most jurisdictions had low scores, averaging 21 points for storefront scorecards and 12 for delivery-only. However, overall scores did improve by an average of one point between 2020 and 2021. Highlights of the findings include:

- 74% (a 4% increase) of jurisdictions allowing storefront retailers limited the number of outlets.
- 45% established stronger buffers to distance storefront outlets from schools and youth.
- 157 implemented local cannabis taxes, and 12 dedicated revenues to substance abuse prevention, youth education or mitigating the impact of the war on drugs.
- Two cities, Grass Valley and Cathedral City, taxed products by the amount of THC.
- Contra Costa County and Watsonville prohibited flavored products for inhalation, which are known to be appeal to youth, while Chico and Mammoth Lakes severely limited them.
- Mono County, Chula Vista, San Diego County and Pasadena prohibited “cannapops”—cannabis-infused beverages like orange soda.
- Most kept storefront retailers smoke-free, though 40 (up from 34) went backwards on smoke-free air by allowing on-site cannabis consumption, bringing back the era of “smoke-filled rooms.”
- 20 had specific policies for equity in hiring or licensing, up from 13 in 2020 and five in 2019.
- Pasadena and Imperial Beach prohibited discount coupons, while Pomona and Chico prohibited paraphernalia giveaways.

To assist local governments, the Getting it Right from the Start Project offers model policies for cannabis retailing, marketing and taxation that cities and counties can adopt. The Project also offers complementary resources and expert technical assistance to state and local regulatory agencies, policymakers and their staff, as well as community organizations and advocates.

The most current Local Cannabis Policy Scorecards, an overview of best practices throughout the state, the research methodology and many other resources are available at www.gettingitrightfromthestart.org.

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Getting it Right from the Start, a project of the Public Health Institute, works with states, cities, counties and community partners to develop evidence-based model policies and provide guidance on cannabis policies that can help reduce harms, protect against youth and problem cannabis use, and advance social equity.

Public Health Institute improves health, equity and wellness by discovering new research, strengthening key partnerships and programs, and advancing sound public health policies. Their hundreds of programs have impacted millions of people, creating a framework that will continue to impact communities for generations to come.