

Why Drug Policy Action Supports Prop. 64: It Protects Youth

Californians for Responsible Marijuana Reform.

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Over the past two decades great efforts have been made to reduce teen use of alcohol and tobacco. By providing common sense regulations, combined with public education, taxation, and age and advertising restrictions, rates of teen alcohol and tobacco use are the lowest in decades. Proposition 64, or the Adult Use of Marijuana Act (“Prop. 64”), applies these same principles and strategies to reduce the accessibility of marijuana for California’s youth.

Overview of Prop. 64

Prop. 64 will allow the responsible use of marijuana by adults 21 and over within a tightly regulated system. It will allow adults to legally possess, transport, purchase, consume and share up to one ounce of marijuana and eight grams of concentrated marijuana. Adults 21 and over may also legally grow up to six plants at their homes. The newly-formed Bureau of Marijuana Control, within the Department of Consumer Affairs, will coordinate regulation and enforcement with several state agencies to protect consumers, the environment and public health, and will oversee regulation for both medical and nonmedical marijuana.

Prop. 64 Prioritizes the Protection of Children and Youth

By legalizing and regulating marijuana, Prop. 64 will move marijuana purchases into a system with strict safeguards against children accessing it. Those safeguards are woven throughout the measure. The measure prohibits the consumption of marijuana in public places, including within 1,000 feet of K-12 schools and other areas where children are present. Marijuana will not be sold in locations where alcohol or tobacco are sold, such as in grocery and convenience stores. Retail marijuana businesses must check IDs and any business that gets caught selling to minors will face stiff sanctions, such as expensive civil fines, loss

or suspension of their business license, or felony penalties. And licensing authorities retain the ultimate discretion to deny a commercial license if it will encourage the underage use of marijuana or present an unreasonable risk of exposing youth to marijuana.

Prop. 64 Reduces Criminal Penalties for Youth

The impact of a criminal conviction on education, employment, and other life opportunities for young people can be severe, even for marijuana offenses. It's necessary to minimize those consequences for youth who are still developing and learning how to make informed decisions. Youth under the age of 18 may only be charged with infractions for marijuana offenses under Prop. 64. They will not be threatened with incarceration; instead, youth will be required to attend drug awareness education, counseling, and be required to complete community service. All marijuana offenses will be automatically expunged from a youth's record when they turn 18.

Prop. 64 Establishes Strict Packaging Requirements

Prop. 64 establishes strict packaging and labeling standards, including warning labels and child resistant packaging that helps keep marijuana products from accidentally ending up in the hands of children. Marijuana cannot be packaged in a manner that is appealing to children. The Department of Public Health retains the flexibility to create other regulations if needed to protect public health.

Prop. 64 Invests Significant Revenue in Youth Education and Treatment Programs

Prop. 64 imposes a 15 percent excise tax on all retail sales of marijuana (both medical and nonmedical), in addition to the state sales tax, and a separate tax on cultivation. State officials estimate this will generate from hundreds of millions of dollars to over \$1 billion in

new revenue each year. After ensuring the new law is adequately funded and researched, 60 percent of the remaining funds will be placed in a youth education and treatment fund. Hundreds of millions of dollars in new revenue will be spent to prevent and treat the misuse of alcohol, marijuana and other drugs by youth, keep youth in school, help connect youth and their families to programs, and build treatment centers for youth. When possible, programs shall provide a continuum of care that includes family-based interventions. Funds shall also support workforce training, wage structures, and ongoing education for behavioral health staff. If funding ever exceeds the demand for youth prevention and treatment services in the state, the Department of Finance may use funds to provide services to adults.

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Prop. 64 Supports Development of DUI Protocols

To ensure the health and safety of California drivers, the measure grants \$3 million annually to the California Highway Patrol to establish and adopt best practices to determine when a driver is operating a vehicle while impaired by marijuana.

Prop. 64 Invests Revenue in Communities Harmed by Marijuana Prohibition

Revenue from the taxation of marijuana will also be allocated to a grant program—starting at \$10 million and increasing by an additional \$10 million for the first five years until it reaches \$50 million annually—that will strengthen communities disproportionately harmed by previous federal and state drug policies. Those laws have had devastating effects on families throughout California. Convictions for marijuana offenses may lead to loss of freedom, employment, public housing, and student loans, all exclusions that threaten the stability of a family. Grants will support economic development, job placement, mental health treatment, legal services that address barriers to reentry, and helping community members better connect to medical care.

Youth Use of Marijuana Is Not Expected to Increase With the Passage of Prop. 64

Four states and Washington, D.C. have legalized the adult use of marijuana and 26 states have legalized the medical use of marijuana. Research shows that the wider availability of marijuana in states that have legalized medical use and adult use has not led to increased rates of use among teens. Because Prop. 64 imposes the strictest regulations of any state to