



420 in 3...2...1...

MSK Client Alert

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Breaking out the bubbly is a hallowed part of the New Year's Eve tradition, but this year, as the clock strikes twelve and we look to usher in 2018; what you see and hear bubbling may be coming from a bong – and not from a champagne glass. This is because on January 1, 2018, California's adult-use cannabis regulations will come into effect. Although the voters approved Proposition 64 (and pretty handily, too) at the November 2016 election, it took the powers that be time to craft the applicable regulations. While medicinal marijuana has existed for two decades in California (Proposition 215, 1996), the new year will bring major changes, as cannabis will be for sale in the so-called "recreational" markets.

Here are some *highlights*:

- Individuals over age 21 without a medical recommendation may possess up to one ounce of cannabis, eight grams of cannabis concentrates and six plants. With a medical recommendation, the limits may be larger. As for the plants, they must be grown outside of public view.
- In addition to retail stores and dispensaries, delivery services will be allowed, again subject to local as well as state regulations. No late night weed and munchies runs – the legal hours for retail use will be limited to between 6 a. m. (wake and bake!) and 10 p.m.
- Smoking in public is still not legal, and nor is underage consumption or driving while consuming. Like alcohol, it will be illegal to possess "open" cannabis in a vehicle or to consume it while driving. For the time being, there will not be "420 bars" where one can enjoy their favorite cannabis strain in a public setting, although this may eventually evolve, and Los Angeles will be able to claim the title "Amsterdam-by-the-Pacific." Of course, no use will be allowed wherever cigarette smoking is currently prohibited.

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