

NOT A LEGAL DOCUMENT—FOR INFORMATION ONLY

California’s medical cannabis laws are now included in the Medicinal and Adult-Use Cannabis Regulation and Safety Act.¹ If you use cannabis for medicinal purposes and have a current qualifying physician’s recommendation or a valid county-issued card, or if you are thinking of using cannabis for medicinal purposes, here are important facts you should know.

Possessing and Buying Medicinal Cannabis • Under California’s law, if you have a valid physician’s recommendation or a valid county-issued medical marijuana identification card ² you can use, possess and transport up to 8 ounces of dried cannabis and up to six mature plants (or 12 immature plants).³ If you require a larger amount of cannabis, under the Compassionate Use Act, you may possess and cultivate any amount that is reasonably related to your current medical needs.⁴ • To buy medicinal cannabis, you must be 18 or older and have either a valid physician’s recommendation, a valid county-issued medical marijuana identification card, or be a Primary Caregiver as defined in Health and Safety Code Section 11362.7(d) or 11362.5(e), with a valid physician’s recommendation for the patient. If you have a valid county-issued medical marijuana identification card, you do not have to pay sales tax on medicinal cannabis products, but other taxes may apply.⁵

Where You Can Use Medicinal Cannabis • Even with a current qualifying physician’s recommendation or a valid county-issued medical marijuana identification card, there are limits to where you can use medicinal cannabis:

You cannot smoke cannabis in places where tobacco is prohibited.—You cannot use cannabis near a school, recreation center, youth center or on a school bus while children are present.—You cannot use cannabis while riding in or driving a vehicle or boat.⁶ Even though it is legal in California, employers have the right to prohibit the use of cannabis by their employees. Know your workplace cannabis policies. Property owners may ban the use and possession of cannabis on their privately owned properties.⁷

Obtaining a County-Issued Identification Card • You can obtain a valid county-issued medical marijuana identification card if you have one or more of the following medical conditions:⁸ • Acquired immune deficiency syndrome (AIDS) • Anorexia • Arthritis • Cachexia • Cancer • Chronic pain • Glaucoma • Migraine • Severe nausea • Persistent muscle spasms, including, but not limited to, spasms associated with multiple sclerosis. Seizures, including, but not limited to, seizures associated with epilepsy • Any other chronic or persistent medical symptom that either: —Substantially limits your ability to conduct one or more major life activities as defined in the federal Americans with Disabilities Act of 1990 (Public Law 101-336). —If not alleviated may cause serious harm to your safety or physical or mental health.

References

1. Senate Bill No.94, Sess. of 2017 (Cal. 2017) https://leginfo.legislature.ca.gov/faces/CodeSection_11362.5_California_Health_and_Safety_Code_11362.712_billTextClient.xhtml?bill_id=201720180SB94
2. Santa Cruz County medical Cannabis ID Card (831)454-3431
3. California Business and Professions Code Section 26140 (c-1, c-2), California Business and Professions Code Sec. 5. Section 26001, California Health and Safety Code Section 11362.715 (a), Section 136
4. California Health and Safety Code Section 11362.77 (a-e)
5. Section 26001, California Health and Safety Code Section 11362.715 (a), Section 1365 California Revenue and Taxation code 34011(f)
6. California Health and Safety Code Section 11362.79 (a-e), California Health and Safety Code Section 11362.5, California Health and Safety Code 11362.712;
7. California Health and Safety Code Section 11362.785 (a)
8. California Health and Safety Code Section 11362.7