



Safe Access Now!

Medical Marijuana Patient Support
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Date: _____

To: _____

From: Your SAN Local Contact

Re: Notification of Change in the Law, SB 420 (2003)
Medical marijuana, HS 11362.5, HS 11362.7 et seq.

Dear _____,

As you may be aware, a new bill passed the legislature to clarify the State medical marijuana law, Proposition 215. While HS 11362.5 remains fully in effect, SB 420 as signed into law will go into effect on January 1, 2004. As HS 11362.7 et seq. its provisions include allowing collective gardens and setting up a voluntary ID card program.

We at Safe Access Now herewith give you our official and public notification of the change in the law, and draw your attention to the following points:

HS 11362.71(e) **No person or designated primary caregiver in possession of a valid identification card shall be subject to arrest for possession, transportation, delivery, or cultivation** of medical marijuana in an amount established pursuant to this article, unless there is reasonable cause to believe that the information contained in the card is false or falsified, the card has been obtained by means of fraud, or the person is otherwise in violation of the provisions of this article.

HS 11362.71(f) It shall not be necessary for a person to obtain an identification card in order to claim the **protections of Section 11362.5**.

HS 11362.77(d) Only the **dried mature processed flowers of female cannabis plant** or the plant conversion shall be considered when determining allowable quantities of marijuana under this section.

HS 11362.77(f). A **qualified patient** or a person holding a valid identification card, or the designated primary caregiver of that qualified patient or person, may possess amounts of marijuana consistent with this article.

The crux of the above sections is that pursuant to this new law, no person with a valid card is henceforth subject to arrest for specified amounts of marijuana. Furthermore, a qualified patient (i.e., one that does not have a voluntary ID card) or their caregiver are also fully protected, and may legally cultivate and possess cannabis in accordance with local or statewide guidelines, whichever is greater.

Please take immediate steps to inform all law enforcement officials and officers of the law of these changes, particularly the patient and caregiver's immunity from arrest. Please contact me about printed information regarding the new law or presenting a training on its meaning and effect. As a public official, you are responsible for the health and safety of your constituents and are liable for misconduct by your subordinates, and should inform them that any officer who violates the law is also personally liable for their actions.

Finally, please be advised that we will be monitoring your conduct in this regard. Failure to comply or act in accordance with SB 420, codified as HS 11362.7, et seq., shall be reported to the State Attorney General's office for appropriate action.

Safe Access Now looks forward to working with you on this matter. We do not anticipate any problems with your getting local law enforcement to obey the state law. Thank you and please contact me to provide testimony for any hearings.
