



500 S. Main Street, Suite #410, Orange, CA 92868 | P: (714) 953-1300 | F: (714) 953-1302 | www.ACCOC.org

March 20, 2017

The Honorable Scott Wilk
California State Senate
State Capitol, Room 4090
Sacramento, CA 95814

RE: SB 139 (Wilk) Harmful substances: local regulation. – SUPPORT

Dear Senator Wilk,

The Association of California Cities – Orange County (ACC-OC) would like to express its support for Senate Bill 139 (Wilk). SB 139 would allow a local government to regulate, by ordinance, the sale of a substance used as a recreational drug that poses a threat to human life or health and a particular risk to minors. ACC-OC was founded in 2011 as the hub for good public policy representing the interests of Orange County cities, and is committed to supporting county-wide partners and regional public safety leaders through the advocacy of important legislation like SB139.

The recent passage of Proposition 57 by California voters absolutely necessitates legislation such as SB139. After the passage of Proposition 47, four of Orange County's largest cities saw a significant increase in violent crime. Law enforcement officials spoke out strongly in opposition to Prop 57 when it was on the ballot, and now that it has passed their opposition has only grown. In order to protect not only our communities but our local law enforcement officials, legislation to empower local law enforcement to best serve their communities is vital. This bill would capture the seizure of drugs that are evading current law enforcement because a normally regulated narcotic is simply sold under a different product name or label that is clearly identifiable. The bill states that as long as there is substantial evidence that the substance has been advertised, purchased, sold, or consumed as a recreational drug, and there is substantial evidence that the substance can cause intoxication, disability, or death if ingested, smoked, inhaled, or injected into the body, that drug would be able to be regulated through an ordinance.

SB 139 would allow the city council or board of supervisors to require vendors to maintain records of sale, make inventory available for inspection by a peace officer, and store the substance in a secure place that cannot be accessed by minors. The bill would allow the city or county to prohibit the sale of the substance to minors and require the payment of a penalty for noncompliance with the ordinance, not to exceed \$250. SB 139 represents an important step in the right direction.

Existing law prohibits the operation of a place of business in which drug paraphernalia is kept, displayed, or sold unless the drug paraphernalia is completely kept within a separate room or enclosure to which persons under 18 years of age are excluded. Also prohibited, is



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the sale of synthetic cannabinoid compounds. Without SB 139 recreational drug use not captured in current statute will result in continued risks to minors.

The safety of California's cities is of paramount importance, and should always be addressed as swiftly and decisively as possible. For this and the reasons described above, the Association of California Cities – Orange County is proud to support SB139. Should you have any questions about our position or about ACC-OC, please contact Diana Coronado, ACC-OC's Legislative Affairs Director, at (714) 953-1300 or at dcoronado@accoc.org.

Sincerely,

Heather Stratman
Chief Executive Officer
Association of California Cities – Orange County