

Fiscal Estimate Narratives

DA 11/13/2013

LRB Number	13-1794/1	Introduction Number	AB-0480	Estimate Type	Original
Description Medical use of marijuana, the regulation of marijuana distribution organizations, requiring the exercise of rule-making authority, making appropriations, and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill, if enacted, will create a medical use defense to marijuana-related prosecutions and forfeiture actions for persons who are registered with the Department of Health Services (DHS) and have certain debilitating medical conditions. In addition, primary caregivers may qualify for the defense under certain conditions. The bill also requires DHS to license and regulate non-profit corporations that distribute or deliver marijuana or drug paraphernalia with the intent to deliver or distribute to facilitate the medical use of marijuana.

Prosecutors provided differing opinions concerning the potential enactment of this bill. The majority said that it would dramatically increase costs of District Attorney (DA) offices because they will be involved in investigating and prosecuting legal marijuana distribution organizations as well as illegal organizations. In addition, the DAs anticipate significant time may be needed to investigate the licensure of growth and distribution systems. DA offices also will need to confirm whether or not DHS has authorized a person for medical use of marijuana. Most DAs expect that enactment of this bill will cause much more time to be spent on possession cases.

Some DAs believe enactment of the bill will provide savings or not increase their costs because many of those with a registry identification card would no longer need to be prosecuted and because other thorough investigative work would continue to be conducted whether or not this bill is enacted.

Based on differing responses from prosecutors, a fiscal estimate is indeterminate.

Long-Range Fiscal Implications

As stated above, due to differing opinions of DAs, an estimate of the long-term fiscal impact of enactment of this law is indeterminate.