



Medical Marijuana

- Petition requires at least 20% of the qualified electors of the county or 1500, whichever is lesser
- Election ordered by the Board of Supervisors
- Date of election to be no more than sixty (60) days from the receipt of the Petition and no earlier than fifteen (15) days from date of first publication of the notice of election
- Publication Notice three (3) consecutive weeks in newspaper published in county or if no newspaper published in county, in a newspaper in an adjoining county having general circulation in the subject county
- No election held more than once every two (2) years
- Requires a majority vote

S.B. No. 2095 (2022 Regular Session) County local option elections.

Section 30 (3)(a). Upon presentation and filing of a proper petition requesting that the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, be legal in the unincorporated areas of the county signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the county, it shall be the duty of the board of supervisors to call an election at which there shall be submitted to the qualified electors of the county the question of whether or not the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, shall be legal in the unincorporated areas of such county as provided in this chapter. Such election shall be held and conducted by the county election commissioners on a date fixed by the order of the board of supervisors, which date shall not be more than sixty (60) days from the date of the filing of the petition. Notice thereof shall be given by publishing such notice once each week for at least three (3) consecutive weeks in some newspaper published in the county or if no newspaper be published therein, by such publication in a newspaper in an adjoining county and having a general circulation in the county involved. The election shall be held not earlier than fifteen (15) days from the first publication of such notice.

(b) The election shall be held and conducted as far as may be possible in the same manner as is provided by law for the holding of general elections. The ballots used at the election shall contain a brief statement of the proposition submitted and, on separate lines, the words "I vote FOR allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of _____ [Name of County] ()" or "I vote AGAINST allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of _____ [Name of County] ()" with appropriate boxes in which the voters may express their choice. All qualified electors may vote by marking the ballot with a cross (x) or check (√) mark opposite the words of their choice.

(c) The election commissioners shall canvass and determine the results of the election and shall certify the same to the board of supervisors which shall adopt and spread upon its minutes an order declaring such results. If, in such election, a majority of the qualified electors participating therein vote in favor of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county, this chapter shall be applicable and operative in the unincorporated areas of such county, and the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as

applicable, in the unincorporated areas of the county shall be lawful to the extent and in the manner permitted in this chapter. If, on the other hand, a majority of the qualified electors participating in the election vote against allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, then it shall be illegal to cultivate, process, sell and/or distribute medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county. In either case, no further election shall be held in the county under the provisions of this section for a period of two (2) years from the date of the prior election and then only upon the filing of a petition requesting same signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the county as provided in this section.