

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following title and summary of the chief purposes and points of the proposed measure:

MEDICAL USE OF MARIJUANA. INITIATIVE STATUTE. Provides that patients or defined caregivers, who possess or cultivate marijuana for medical treatment recommended by a physician, are exempt from general provisions of law which otherwise prohibit possession or cultivation of marijuana. Provides physicians shall not be punished or denied any right or privilege for recommending marijuana to a patient for medical purposes. Declares that the measure not be construed to supersede prohibitions of conduct endangering others nor to condone diversion of marijuana for non-medical purposes. Contains severability clause. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Because this measure restricts the use of marijuana to only those persons for whom it is prescribed by a licensed physician, it would probably have no significant state or local fiscal impact.

To The Honorable Secretary of State

We, the undersigned, registered, qualified voters of California, residents of _____ County (or City and County), hereby propose an addition to the Health and Safety Code, relating to the compassionate use of marijuana, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law. The proposed addition to the Health and Safety Code shall read as follows:

SECTION 1. Section 11362.5 is added to the Health and Safety Code, to read: 11362.5 (a) This section shall be known and may be cited as the Compassionate Use Act of 1996.

(b) (1) The people of the State of California hereby find and declare that the purposes of the Compassionate Use Act of 1996 are as follows:

(A) To ensure that seriously ill Californians have a right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of marijuana in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief.

(B) To ensure that patients and their primary caregivers who obtain and use marijuana for medical purposes upon the recommendation of a physician are not subject to criminal prosecution or sanction.

(C) To encourage the federal and state governments to implement a plan to provide for the safe and affordable distribution of marijuana to all patients in medical need of marijuana.

2) Nothing in this act shall be construed to supersede legislation prohibiting

persons from engaging in conduct that endangers others, nor to condone the diversion of marijuana for nonmedical purposes.

(c) Notwithstanding any other provision of law, no physician in this state shall be punished, or denied any rights or privilege, for having recommended marijuana to a patient for medical purposes.

(d) Section 11357, relating to the possession of marijuana, and Section 11358, relating to the cultivation of marijuana, shall not apply to a patient, or to the patient's primary caregiver, who possesses or cultivates marijuana for the personal medical purposes of the patient upon the written or oral recommendation or approval of a physician.

(e) For the purposes of this section, "primary caregiver" means the individual designated by the person exempted under this act who has consistently assumed responsibility for the housing, health, or safety of that person.

Sec. 2. If any provision of this measure or application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions or applications of the measure which can be given effect without the invalid provision or application, and to this end the provisions of this measure are severable.

NOTICE TO THE PUBLIC

This petition may be circulated by a paid signature gatherer or a volunteer. You have the right to ask.

OFFICIAL
USE ONLY

1			
	PRINT YOUR NAME	RESIDENCE ADDRESS	
	SIGNATURE AS REGISTERED	CITY/ZIP	

DECLARATION OF CIRCULATOR

(to be completed after above signatures have been obtained)

I, _____, am registered to vote in the County (or City and County) of _____.
(print name)

My residence address is _____.
(Address, city, state, zip)

I circulated this section of the petition and saw each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on this document were obtained between the dates of _____ and _____.
(Month, day, year) (Month, day, year)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, 19____ at _____.
(Month and day) (Place of signing) (Complete signature of circulator)

Return Petition By April 13, 1996 to: • CCMM • 730 Marine St. • Santa Monica, CA 90405