



March 29, 2022

The Honorable Thurston Smith  
California State Assembly  
1021 O St., Room 4320  
Sacramento, CA 95814

**RE: AB 2728 (Smith) – Unlawful Cannabis Activity Penalties – As Introduced February 18, 2022  
– Support**

Dear Assemblymember Smith,

On behalf of Homestead valley Community Council, I write in support for AB 2728, legislation that will place additional civil penalties on illegal cannabis commercial activities.

When voters enacted Proposition 64 to legalize recreational cannabis, they did so with the assumption that the state would balance consumer desire and public safety. Unfortunately, penalties for illegal cannabis activity were reduced before the legal market was firmly established. As a result, California has had a massive increase in unlicensed growers operating illegal cannabis farms across the rural and wilderness areas of the state. California law already permits civil penalties against unlicensed marijuana dealers however, the current civil fine structure makes no distinction between small unlicensed growers with a few plants over the legal limit and industrial-scale operations with hundreds or thousands of plants. State law should provide heavier penalties to deter major illegal cannabis production that undermine the legal cannabis market and undercut law-abiding businesses and entrepreneurs.

AB 2728 enacts a graduated civil penalty structure for unlicensed cannabis activity. These penalties are tied to the size and scale of the illegal cannabis operation, to allow a variety of factors to be considered when assessing the fine. This creates a better public safety environment to allow these criminal operations to be better addressed.

For the above reasons, we are pleased to support AB 2728.

Sincerely,

Jim Harvey  
President, Homestead Valley Community Council  
On behalf of HVCC