

POLITICS

# California Bill To Legalize Psych Possession Put On Pause Until 2



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By **Kyle Jaeger** 



# MARIJUANA MOMENT **California Bill To Legalize Psychedelics Possession Put**

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A California bill to legalize possession of a wide range of psychedelics such as psilocybin and ayahuasca will not advance further this year following a decision by the sponsor. More time is needed to build the case for the reform and solidify its chances of being enacted.



The Senate-passed legislation [advanced through a second reading](#) on the Assembly floor last week before being re-referred to the Assembly Appropriations Committee, which was set to determine on Thursday whether it could be cleared for final passage. It was ultimately decided that the proposal would be made into a two-year bill, meaning it won't advance to the floor this year but is still technically alive and could be taken up in 2022.

The bill, sponsored by Sen. Scott Wiener (D), previously cleared the full Senate and moved through the [Assembly Public Health](#) and [Public Safety Committees](#).

Wiener has spent significant energy building support for the reform proposal as it has moved through the legislature, [including by holding a recent rally](#) with military

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generate broader buy-in. He said in a press release Thursday that he’s “heartened that the bill moved as deep into the process as it did and that we have a realistic chance of passing it next year.”



**Senator Scott Wiener** ✓ · Aug 26, 2021



@Scott\_Wiener

1/ Good news/bad news: Our bill to decriminalize psychedelics (#SB519) is alive & well, but we’re pausing its further consideration in the Assembly until next yr. In technical talk, it’s now a “2 year bill.”

We’ll spend the next year continuing to build support in the Assembly.



**Senator Scott Wiener** ✓

@Scott\_Wiener

2/ #SB519 advanced deep into the legislative process — honestly, way further than I anticipated, since it’s a new idea in the Legislature. It passed the full Senate & both Assembly policy committees.

But we need more time to build support in the Assembly to achieve final passage

11:39 AM · Aug 26, 2021



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“Given that this idea had never before been introduced in the legislature, our progress is a testament to the power of the issue and the urgency of the need to act,” he said. “I’m grateful to my colleagues for working with us and advancing the bill so significantly. That we have more time, I’m optimistic through education and member engagement that we can pass this critical legislation next year.”

“Decriminalizing psychedelics is an important step in ending the failed War on Drugs, and we are committed to this fight. Our mental health crisis is worse than ever, and psychedelics have shown great promise in treating mental health issues from PTSD to depression.”

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**Senator Scott Wiener**  @Scott\_Wiener · Aug 26, 2021

Replying to @Scott\_Wiener

3/ I'm deeply committed to #SB519's passage, as is our coalition. Over the next year, our coalition of veterans, parents, healthcare professionals & others will continue to work hard to earn the support of Assemblymembers. This is a righteous bill.

**Senator Scott Wiener** 

@Scott\_Wiener

4/ The War on Drugs is a complete failure. We shouldn't be arresting people for possessing or using drugs. And people should be able to access psychedelics to address mental health & addiction challenges. #SB519 needs to pass & California needs to lead on this issue.

11:39 AM · Aug 26, 2021



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SB 519 would remove criminal penalties for possessing numerous psychedelics—including psilocybin mushrooms, DMT, ibogaine, LSD and MDMA—for adults 21 and older.

As a result of changes approved by the Public Health Committee, the bill currently includes language laying out the limits for what is an allowable personal possession amount for each substance. That led Decriminalize Nature (DN), a group that's worked to enact psychedelics reform across the country, to call for the tabling of the legislation.

This latest development in Appropriations is likely welcome news for DN to that its members now have more time to make the case for eliminating the possession limit provision, or reaching some kind of compromise.

Other advocates, however, say they were taking a practical position on the revision by accepting the possession limits in the interest of advancing the reform through the legislature that may otherwise defeat the bill if it contained no such restrictions.

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-15 grams of ibogaine


-0.01 grams of LSD

-4 grams of mescaline

-2 grams of the controlled substance psilocybin or 4 ounces of a plant or fungus containing the controlled substance psilocybin.

-2 grams of the controlled substance psilocyn or 4 ounces of a plant or fungus containing the controlled substance of psilocyn

-4 grams of MDMA.

In the Public Safety Committee, Wiener supported an amendment from the panel removed ketamine from the list of psychedelics included in the reform. That's in part due to a series of technical revisions that were made to the legislation. 

The full Senate approved the bill in June. Wiener has described its prospects going forward as “very challenging,” but he made the case at a recent press event that a necessary policy change to advance mental health reform and end criminalization is needed.

Under the measure, the state Department of Public Health would be required to form a working group “to study and make recommendations regarding possible regulatory systems that California could adopt to promote safe and equitable access to certain substances in permitted legal contexts.” Those recommendations would be due by January 1, 2024.

For psilocybin specifically, the legislation would repeal provisions in California law that prohibit the cultivation or transportation of “any spores or mycelium capable of producing mushrooms or other material” that contain the psychoactive ingredient psilocybin.

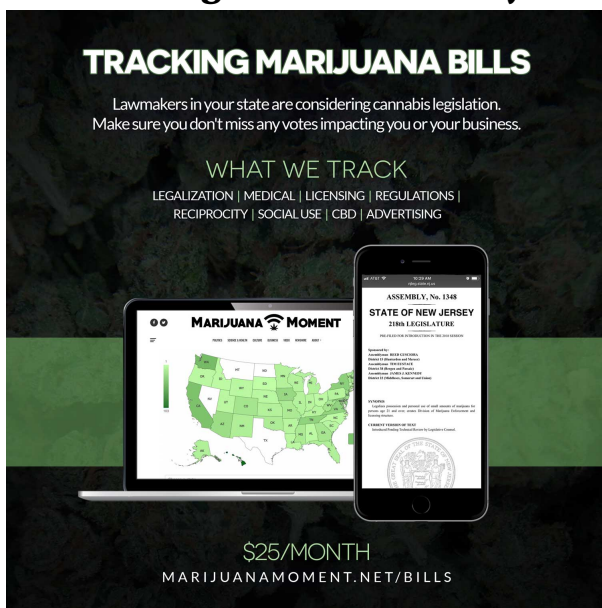
The bill originally included record sealing and resentencing provisions for people previously convicted of psychedelics possession offenses, but that language was removed.



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Wiener said the reasoning behind that deletion was that the policy “ended up getting a huge price tag” based on a fiscal analysis, but it could be addressed in separate legislation if the main bill passes.

Speaking at an event hosted by the Psychedelic and Entheogen Academic Council in June, the senator said advancing the legislation would be [first step toward decriminalizing all currently illicit drugs](#). He reiterated that point on Monday, stating that “this bill is one step in the direction of ending the failed war on drugs.”

While the bill is being described by lawmakers and advocates as simple “decriminalization,” the official legislative analysis of the proposal states that it “possession and facilitated or supported use of specified hallucinogenics legal.”

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Wiener backed the prior ketamine-related amendment in an effort to build support for the legislation.

“There are disagreements within the psychedelic world on it,” the senator said at a meeting with activists in June. “My view is you keep things in until you have to give, and that’s one that we could potentially give on. You don’t want to spontaneously give on things without getting some ability to move the bill forward as a result.”

Mescaline, a psychoactive compound derived from peyote and other cacti, is another controversial psychedelic.

It was specifically excluded from the bill’s reform provisions in peyote-derived fungi. The possession of the compound would be allowed if it comes from other plants “the Bolivian Torch Cactus, San Pedro Cactus, or Peruvian Torch Cactus.”

That decision on the peyote exclusion was informed by native groups who [pushed back against decriminalizing the cacti](#) for conservationist reasons and its sacred value for their communities.

Meanwhile, California psychedelics activists recently [filed a petition for the 2022](#) to make the state the first in the nation to legalize psilocybin mushrooms for an

The psychedelics effort in the California legislature, which [Wiener first previewed in November](#), comes as activists are stepping up the push to enact psychedelics locally in cities in the state and across the country. The bill notes those efforts in the explanation of the proposal.

Advocates are also actively making new strides to reform local laws governing psychedelics.

Most recently, activists are advancing reform in Easthampton, Massachusetts; Grand Rapids, Michigan and Arcata, California.

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In California, [Oakland](#) and [Santa Cruz](#) have already enacted psychedelics decriminalization.

The Ann Arbor, Michigan City Council [approved the policy change last year](#)—and this month, local lawmakers passed a resolution to officially designate September [Entheogenic Plants and Fungi Awareness Month](#).

Other Massachusetts cities that have enacted the policy change are: [Northampton](#), [Somerville](#) and [Cambridge](#).

The governor of Connecticut recently signed legislation recently that includes legislation requiring the state to carry out [a study into the therapeutic potential of psilocybin mushrooms](#).

Texas also recently enacted a bill to require the state [study the medical benefits of psychedelics for military veterans](#).

A New York lawmaker introduced a bill in June that would require the state to establish an institute to similarly [research the medical value of psychedelics](#).

In Oakland, the first city where a city council voted to broadly deprioritize criminalization of entheogenic substances, lawmakers [approved a follow-up resolution](#) in December that calls for the policy change to be adopted statewide and for local jurisdictions to be allowed to permit healing ceremonies where people could use psychedelics.

After Ann Arbor legislators passed a decriminalization resolution last year, a city prosecutor recently announced [that his office will not be pursuing charges](#) over possessing entheogenic plants and fungi—“regardless of the amount at issue.”

The Aspen, Colorado City Council [discussed the therapeutic potential of psychedelics](#) like psilocybin and proposals to decriminalize such substances at a



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the opioid overdose epidemic, imploring the group to [investigate the therapeutic potential of psychedelics](#) like ayahuasca and ibogaine in curbing addiction.

Meanwhile, Portland, Oregon activists are mounting [a push to have local lawmakers pass a resolution](#) decriminalizing the cultivation, gifting and ceremonial use of a wide range of psychedelics.

The psychedelics conversation is also catching on at the federal level.

But in a setback for advocates, the U.S. House of Representatives recently voted on a proposal from Rep. Alexandria Ocasio-Cortez (D-NY) that [would have removed a spending bill rider](#) that advocates say has restricted federal funds for research in Schedule I drugs, including psychedelics such as psilocybin, MDMA and ibogaine. However, it picked up considerably more votes this round than [when the congress first introduced it](#) in 2019.

Report provisions of separate, House-passed spending legislation also tout [to expand cannabis and psychedelics research](#). The panel urged the National Institute on Drug Abuse (NIDA) to support expanded marijuana studies, for example

It further says that federal health agencies should [pursue research into the therapeutic potential of psychedelics](#) for military veterans suffering from a host of mental health conditions.

When it comes to broader drug policy reform, Oregon voters also approved an initiative in November to [decriminalize possession of all drugs](#). This year, the Maine House of Representatives [passed a drug decriminalization bill](#), but it later [died in the Senate](#).

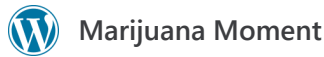
In May, lawmakers in Congress filed the [first-ever legislation to federally decriminalize possession](#) of illicit substances.

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## Psychedelics Therapeutic Potential

The head of a federal drug agency acknowledged in a new interview that marijuana legalization has not led to increased youth use despite her prior fears, and she spoke about the therapeutic potential of certain psychedelics that have long been deemed “dangerous” under federal law. National Institute on Drug Abuse (NIDA) Director Nora Volkow discussed ... Continue reading



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**Kyle Jaeger**



Kyle Jaeger is Marijuana Moment's Sacramento-based senior editor. His work has also appeared in the New York Times, VICE and attn.

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# Getting New York Marijuana Legalization Rolling Is A 'Priority' New Governor's Office Says



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The newly inaugurated governor of New York is committed to expediently fillin regulatory positions to implement marijuana legalization in the state, her offic

Gov. Kathy Hochul (D), who replaced former Gov. Andrew Cuomo (D) this week after resigned amid a sexual harassment scandal, was supportive of the legislature's passage of the adult-use legalization bill this year. While her predecessor faced criticism as negotiations with lawmakers on potential appointments stalled, the new governor is now taking the helm and discussing how to move the process forward with leaders.

Prioritizing the appointment of members of the Cannabis Control Board, as well as a

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# Approves medical marijuana legalization Bill



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By **Kyle Jaeger** 



Another North Carolina Senate committee has approved a bill to legalize marijuana, getting the measure one step closer to the floor.

Members of the Senate Health Care Committee on Thursday advanced the legislation a voice vote. This comes two days after the Judiciary Committee cleared the bill, which followed a meeting of the panel where members accepted changes.



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The head of a federal drug agency acknowledged in a new interview that marijuana legalization has not led to increased youth use despite her prior fears, and she spoke about the therapeutic potential of certain psychedelics that have long been deemed “dangerous” under federal law.

National Institute on Drug Abuse (NIDA) Director Nora Volkow discussed a wide range of drug policy issues on a podcast hosted by a longtime legalization advocate that was published on Thursday, including the need to shift from a punitive approach to drug use to one that treats addiction as a public health matter.


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