

Department of Finance STATE OF CALIFORNIA MANUAL OF STATE FUNDS	Fund: 3351 PAGE 1 Renumbered From:
<u>Legal Title</u> Cannabis Tax Fund – Department of Fish and Wildlife, Environmental Restoration and Protection Account - Allocation 3	
<u>Legal Citation/Authority</u> Proposition 64 of 2016, Section 7 Chapter 27, Statutes 2017 (SB 94) Revenue and taxation Code section 34019 (f) (2)	
<u>Fund Classification</u> <u>GAAP Basis</u> Governmental/Special Revenue Funds	<u>Fund Classification</u> <u>Legal Basis</u> Governmental/Other Governmental Cost Funds
<u>Purpose</u> Moneys in the fund shall be used by the Department of Fish and Wildlife for: (A) The cleanup, remediation, and restoration of environmental damage in watersheds affected by cannabis cultivation and related activities, and to support local partnerships for this purpose. (B) The stewardship and operation of state-owned wildlife habitat areas and state park units in a manner that discourages and prevents the illegal cultivation, production, sale, and use of cannabis and cannabis products on public lands, and to facilitate the investigation, enforcement, and prosecution of illegal cultivation, production, sale, and use of cannabis or cannabis products on public lands. (C) Assistance in funding the watershed enforcement program and multiagency taskforce established pursuant to the Fish and Game Code section 12029 (a) and (b) to facilitate the investigation, enforcement, and prosecution of offenses to ensure the reduction of adverse impacts of cannabis cultivation, production, sale, and use on fish and wildlife habitats.	
<u>Administering Agency/Organization Code</u> Department of Fish and Wildlife/3600	
<u>Major Revenue Source</u> Pursuant to Revenue and Taxation Code section 34019 (f), by July 15 of each fiscal year beginning in the 2018-19 fiscal year, the Controller shall, after disbursing funds pursuant to subdivisions (a), (b), (c), (d), and (e), disburse funds deposited in the Cannabis Tax Fund during the prior fiscal year into sub-trust accounts: (2) Twenty percent shall be deposited in the Environmental Restoration and Protection Account, and disbursed to the Department of Fish and Wildlife and the Department of Parks and Recreation. The Secretary of Natural Resources shall determine allocation of fund between the departments.	
<u>Disposition of Fund (upon abolishment)</u> Pursuant to Government Code section 16346, in the absence of language that identifies a successor fund, any balance remaining in this fund upon abolishment, shall be transferred to the General Fund.	
<u>Appropriation Authority</u>	

Continuously appropriated without regard to fiscal year.

State Appropriations Limit

Always Excluded –The major revenue source is transferred from an Included Fund, California Cannabis Tax Fund (3314), which has already been counted and should not be double counted.

Comments/Historical Information

Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act was approved by voters at the November 8, 2016 general election, effective January 1, 2018. This fund is a sub-trust account within Fund 3314 – California Cannabis Tax Fund.

Note: The twenty percent disbursement under Revenue and Taxation Code (RTC) section 34019 (f) (2) is for the Department of Fish and Wildlife and the Department of Parks and Recreation. A separate fund (Fund 3352) has been created for the Department of Parks and Recreation for similar purposes. Pursuant to the RTC section 34019 (f) (2) (D), the Secretary of the Natural Resources Agency shall determine the allocation of revenues between the departments.