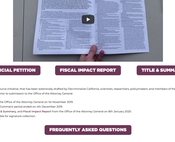
The California Psychedelic Decriminalization Initiative 2020

PART 1 - READ THE FIRSTLINE



OFFICIAL PETITION | **FISCAL IMPACT REPORT** | **TITLE & SUMMARY**

This is an open source initiative, that has been internally drafted by Decriminalize California, scientists, researchers, philosophers, and members of the public over several months with the assistance of our partners in Oregon and Colorado.

- Submitted to the Office of the Attorney General on 11 November 2019
- Received Title and Summary on December 11, 2019
- Received Draft Statutory and Fiscal Impact Report from the Office of the Attorney General on 8th January 2020.
- Currently eligible for signature collection

PART 2 - SIGN THE INITIATIVE - PRESS THE CIRCULATOR STATEMENT

NOTE: It is prohibited to collect signatures without first submitting this statement. A signed statement must be submitted by each individual collecting signatures. An individual cannot collect signatures on behalf of multiple people.

Please complete, sign and return the Petition Circulator Statement. Once this statement is received, you are authorized to circulate the petition.

My California Psychedelic Decriminalization Initiative 2020

The proponents of our Psychedelic Initiative believe it is important to ensure that citizens who actively participate in the process of collecting signatures are fully informed about the intent and purpose of the petition they are circulating. Such information should emphasize the prohibition of the use of signatures for any purpose other than qualifying the initiative for the ballot, and should include information about the initiative process and the petition circulator's role in that process.

Petition circulators are paid to collect signatures on behalf of the initiative proponents, and are also volunteers who collect petitions. Paid petition circulators receive compensation based on how complete the petitions they collect are and how many signatures are collected. Petition circulators are required by state law to be California residents, be at least 18 years old, and be registered to vote in California. SB 168 (Chapter 6, Statutes of 2011).

Prior to accepting a petition to circulate an initiative petition for signatures, the organizational officer who is responsible for the petition circulation effort must provide training to the petition circulator regarding the requirements of the initiative petition process and the petition circulator's role in that process.

If the petition circulator leaves the employ of the organization before completing his or her assignment, the organizational officer who is responsible for the petition circulation effort is responsible for the accuracy and completeness of the petition circulator's work. Signatures collected by a former employee who is not properly accounted for will not be counted.

NOTE: We cross-use handbills to collect signatures. Consequently, we will need to collect all the signatures for the petition using printed paper sheets. We digital signature. Find out how we could be assured California doesn't stress the hell out of us.

CLICK TO DIGITALLY SIGN COPY 2020 CIRCULATOR STATEMENT

PART 3 - CIRCULATING INSTRUCTIONS

NOTE: While circulating a petition, it is PROHIBITED to provide members of the public with stickers, printed handouts, or other goods, regardless of whether or not such or a similar sticker or printed handout is associated with the public to sign the petition.

PART 1 - READ MEANING TO GET INVOLVED

A Pick Them Up from your chosen Dispensary

A Front Stoop Conversation at a Friend's Place

On the First page of the sheet, note the statement "All signers of this petition must be registered to vote in _____ County". In the blank space, print ON PAID the County which the initiative is filed for petition. If the initiative is filed in Los Angeles County, write in Los Angeles County.

A signature does not have to be registered to vote in the County or event. Voters in which you collect signatures but you must be registered in CA Citizen.

It is recommended that you make a few copies of the petition to circulate. For example, if you are collecting signature at a dispensary, you may want to have copies that are from Alameda Orange County, Alameda County, San Diego County, San Francisco County, and other counties with high concentrations of registered voters.

PART 2 - CONVERSATION - DO NOTHING BUT ASK QUESTIONS

Ask the individual whether they are registered to vote in California.

Ask the individual which California County they are registered to vote in. Ensure they sign the sheet which is labelled with their correct county.

Check that the individual will write the address at which they are registered to vote, which MAY DIFFER from their current address.

If the petition signature filled in the wrong county or forgot to write in where they are registered to vote write this link https://registermyvote.ca.gov/

PART 3 - COMPLETE CIRCULATOR STATEMENT

NOTE: Although there is space for up to 8 signatures, sign the Declaration of all petition sheets, even if some sheets have only 1 signature.

Once a signature sheet has completed, complete and sign the Declaration of Circulator section (**On Back Side**) of the sheet. Sheets without a signature Declaration are legally invalid.

PART 4 - RETURN THE COMPLETED PETITION SHEETS

Ensure that the completed sheets are not tampered with or damaged. Keep the sheets in a safe place, away from moisture, dust, dirt etc., until they can be returned to Decriminalize California.

Return the completed petition sheets to the California State Elected Service Centre. The address is **Decriminalize: 1800 Whitley Avenue, #102, Los Angeles, CA, 90028** Alternatively you can find County Organizer in your County to the sheets to be collected signed.

TIPS FOR COLLECTING SIGNATURES

How to Approach People

You make eye contact, smile, and say the following three words:

Decriminalize Magic Mushrooms!

"Wilma?" Potential Signer.

"Do you support Psilocybin mushrooms?"

"Schizophrenic?"

"Hey, helps an endocrinologist make improvements in California for 2020 elections?"

"Hey, Wilma?"

"Wilma is the only one who remembers?" Wilma?

"Seriously, do you think any of you?" I'll stick you?

"Man! I hope you voted for Prop 215 passed in 1996 you guys. But you are registered to vote in California?"

"Yes, Wilma?"

"Do you know what county you are registered to vote in?"

"Yes, Wilma?"

"Wilma?"

Close to Home

Some people from California getting their signature on the petition. Wilma is a retired nurse and is campaigning to convince a gentleman of a friend of his to be a limited people. Wilma's your neighbourhood, is **very good** as a sign gatherer. Reaching a group of people is **Wilma** has to collect **100** of signature.

Public Venues

Our First Amendment rights include the right to gather signatures on petitions. Public places are free speech zones. You have the right to stand on a public sidewalk, as long as you do not block the entrance to a store. Many malls, however, have a private security force that will attempt to prevent you from collecting signatures. Many malls are open to allowing you to stand on the sidewalk and collect signatures, but you need to contact the mall management to get permission. This is referred to as the "Open Mall." If you obtained the Mall Rule, many times you will not be asked to leave.

Many malls have a "Mall Walker" program that is very helpful to organizers. One can be having someone signing while another can be talking to other potential signers. It also pays the appearance of being an important based in Petition Circulators and their signature. Mall Walkers are the under-the-radar foot soldier such signature gatherers. Mall Walkers are paid by the hour, so they are very reliable.

Best Efforts. Signature may be collected in front of Grocery Stores and Liquor Stores. Signature may be collected in the form of the petition. signature collection must take place out on the public sidewalk in front of the parking lot. Having a sign makes you visible.

Sometimes one need permission to collect signatures at a dispensary. Dispensary are generally suitable venues but you will need to ask them for their procedures. It is something that takes longer than a day to get that's why always that location and move on to another.

Some people have spoken to people **after church services but it is not advised unless it's your congregation and you are well liked.** DO NOT bother you in church putting this through it's whole body or at all it's not in the best interest.

Though you might want to **spend a little time talking to people after school don't do it as you will generally not be received well.**

If you approach people at **Shelters or release** forming a public concern when they are asking in the car to the shelter.

Schools do not allow signature collection.

Have a dog pitch in your cause are added to team or someone has already taken your chosen spot.

Part 3 - Brick & Mortar Training

BRICK & MORTAR SIGN UP FORM

If you know of a brick and mortar breakthrough studio, smoke shop, dispensary, cafe, bar, restaurant, Sweetness, etc. that might be down to collect signatures we need you to fill out the form below and we will reach out to the owner to qualify the site and arrange a team. Whatever is going on in the brick and mortar business needs to go through Part 1 and 2 of this page and have the key takes a set of stakeholder for information under the counter. You cannot pass off stakeholds to other staff to continue filling in but it will be discovered by camera and the key can be voided.

Once the location is lined up and has received the packet we will host them on the Brick and Mortar Headquarter site at the main page.

Every week we will contact them and see how they are doing and if they need any more details.

If they have a track that has completed they can either mail it to us or we will send a local volunteer to pick up and then drop off new sheets.

The business should also send us high resolution logo as a PNG, and link to their business website(s) so that we can add it to our list of ideas to help cross promote them.

Part 4 - Printing Your Own Petition Sheets

NOTE Based on the formatting of the petition, the petition MUST be printed on a colored sheet (11*17 size). Petition sheets printed on paper which is smaller than colored are legally invalid. Proper 11*17 paper can be found at any office supply store. Alternatively, the pages must be part of one continuous sheet of paper. Petition sheets which are stapled or clipped together are legally invalid.

Get access to an 11 x 17 Printer.

Have 2100 (2200 Petition Sheet) as a double sided tabloid sheet (11*17 inch).

Print multiple copies to ensure that you do not run out of sheets.

Each sheet provides space for 8 signatures.

Check carefully for any printing errors, such as printer misalignment which could cause text on the sides of the document to be cut off.

If any text is missing from the document, the signatures will be legally invalid.

Find CITIZEN OFFICIAL PETITION SHEET in all caps in Arial font, bold, and in capitals in black ink.

OFFICIAL PETITION

Part 5 - Full Text of the Initiative Language

California Psychedelic Decriminalization Initiative 2020

SECTION 1. Title.

This measure shall be known and may be cited as the "California Psychedelic Decriminalization Initiative".

SEC. 2. Findings and Declarations.

1. We are vulnerable to plant life using Magic Mushrooms.
2. No Particular should be dependent using Magic Mushrooms.
3. Magic Mushrooms have been safely used for thousands of years for spiritual and religious purposes.
4. Magic Mushrooms are not addictive, and are not toxic.
5. Psychedelic Mushrooms have been safely used for Medicinal purposes for thousands of years.
6. Cancer and Cluster headaches are the most painful conditions known to man.
7. Psychedelic Mushrooms have been shown to be effective in treating Cluster headaches.
8. Cancer and Cluster headaches decimated Magic Mushrooms.
9. Psychedelic Mushrooms have been shown to be safe to consume, in contrast, 6,000 analysis of the harms associated with the war on drugs found Mushrooms to be the safest of all illicit drugs studied.
10. The FDA designated Psilocybin their consequent of Magic Mushroomsas a Breakthrough Therapy for treatment resistant depression and major depressive disorder.
11. Research conducted at Johns Hopkins University, Psilocybin has found Magic Mushrooms to be safe and effective treatment for severe and life-threatening depression anxiety in terminally ill patients, and relieve suffering.

SEC. 3. Section 11390.10 to 11390.250 are added to the Health and Safety Code, to read:

§ 11390.100 Personal Protections.

1. Shall not be construed as a violation of any state law.
2. To use Psilocybin Mushrooms is one's home or on any privately owned property is a manner that does not endanger others or violate the drivers.
3. To be under the influence of Psilocybin Mushrooms shall not be construed as a violation of Section 23152 of the Vehicle Code, or 23153 and
4. To cultivate Psilocybin Mushrooms indoors or outdoors on private property for others' access is hereby by filtering other such cultivation is not liable from suicide
5. Possession of Psilocybin Mushrooms, or the Psilocybin Mushroom Spores, or Psilocybin Mushroom Mycelium, or Psilocybin Mushroom Cultures, or any other Psilocybin Mushroom Propagation material, or any other Psilocybin Mushroom Substance or product containing Psilocybin Mushrooms, or Psilocybin Mushroom Spores, or Psilocybin Mushroom Mycelium, or Psilocybin Mushroom Cultures, or any other Psilocybin Mushroom Propagation material, or any other Psilocybin Mushroom Substance or product containing the release of such information or a copy by law from
6. Any Psilocybin Mushroom products or extracts packaged for retail sale must provide a list of active substances.

§ 11390.200 Therapeutic and Medical Research and Treatment.

1. The State of California and its agencies shall also give clinical and clinical research into the therapeutic applications of Psilocybin and Psilocybin Mushrooms.
2. Psilocybin Mushroom Therapy shall be administered by qualified and licensed professionals.
3. Psilocybin Mushroom assisted psychotherapy may be delivered by qualified and licensed professionals. Therapy may be provided by mental health professionals who are licensed or certified to provide psychotherapy in the state in which the therapy is provided, including but not limited to:
4. The California Department of Public Health shall convene a panel of medical and research organizations who have experience with psychedelic mushrooms to develop non-binding guidelines for medicinal sales/use/storage of Psilocybin Mushroom Therapy and management of Psilocybin Mushroom Intoxication.

§ 11390.300 Implementation.

The California Department of Food and Agriculture shall begin issuing licenses under this Act not later than September 30, 2021.

§ 11390.400 Penalties.

Violations of any statute or regulation enacted or promulgated to implement this Act shall not constitute a felony and shall not be punished by incarceration or imprisonment.

§ 11390.500 Local Control.

A city and or county may not limit the number of Psilocybin Mushroom Business licenses to be issued, or impose a fee, or impose a tax, or place conditions in accordance with the ordinances or fee or the city council or board of supervisors, and approved by the voters within that jurisdiction at a statewide election held for that purpose.

§ 11390.600 Discrimination Prohibited.

No person shall be denied any employment or military or safety clearance suspensions held by, or U. Department of Transportation regulations (49 CFR Part 40), found or provided in the drivers, or person who shall be unable to provide or refuse to provide the change for service or benefits based on the traits, or characteristics, or status of the individual's use of Psilocybin Mushroom Therapy, or Psilocybin Mushroom Products, or Psilocybin Mushroom Services, or Psilocybin Mushroom Cultivation, including of journals, photographs, video, and journals in the course of which the offender is needed, or is in and at alleged violation of suspensions for not use, or violations their conscientious by rules, or personal employment contracts, and or Farmhouse, Ag Utility services.

§ 11390.200 Attorney.

Unless the beach or wathering of a minor is in danger as a result of the cultivation of Psilocybin Mushrooms in compliance with this decree, the mere presence of one or more minors in a household or motor vehicle shall not constitute a violation of Section 11358 of the Health and Safety Code, or any other provision of law. Although a fine is in the state of California, not itself such criminal detriment penalties rights is justify the removal of a child from the home even temporarily. Section 11358 of the Health and Safety Code, or any other provision of law, shall not be construed to prohibit a person from being in the vicinity of Psilocybin Mushrooms or possessing Psilocybin Mushrooms, and provide for the distribution of the revenue, and such revenue must be used for a program that the statewide criminal Revenue Code.

1. Upon conviction by serving sentence for a conviction, whether by trial or open or negotiated plea, who would not have been guilty of offense or who could have been guilty of a lesser offense had the provisions of this act had been in effect at the time of the offense may petition for a recalculation of his sentence or his release. If a resul or dismissal of sentence before the trial court that entered the judgment of conviction in their case to request resentencing or dismissal.
2. Any person who is currently serving a sentence for a conviction, whether by trial or open or negotiated plea, who would not have been guilty of offense or who could have been guilty of a lesser offense had the provisions of this act had been in effect at the time of the offense may petition for recalculation of his sentence or his release. If a result or dismissal of sentence before the trial court that entered the judgment of conviction in their case to request resentencing or dismissal.
3. Notwithstanding any other provision of law, the court may recall and resentence a person who is currently serving a sentence for a conviction, or who has completed his sentence for a conviction, upon application by the person or his counsel, or upon application by the district attorney, or on its own motion, if the person would not have been subject to after relief, or would have been subject to a lesser offense had the provisions of this act had been in effect at the time of the offense, or upon application of the district attorney, or on its own motion, if the person would not have been convicted of the offense in the first place.
4. In determining the disposition of the petition, the court may consider the criminal record and the behavior and character of the petitioner since the time of the offense.
5. No court shall resentence or recall the sentence of a person who has completed his sentence for a conviction, or who is currently serving a sentence for a conviction, if the person would not be prohibited from committing the offense in question because of having petitioned to resentence and receive a term of custody.
6. Upon conviction by serving sentence for a conviction, whether by trial or open or negotiated plea, who would not have been guilty of an offense or who could have been guilty of a lesser offense had the provisions of this act had been in effect at the time of the offense may petition for a recalculation of his sentence or his release. If a result or dismissal of sentence before the trial court that entered the judgment of conviction in their case to have the conviction dismissed and sealed pursuant to Section 1203.4 of the Penal Code.
7. Any person who is currently serving a sentence for a conviction, whether by trial or open or negotiated plea, who would not have been guilty of an offense or who could have been guilty of a lesser offense had the provisions of this act had been in effect at the time of the offense may petition for a recalculation of his sentence or his release. If a result or dismissal of sentence before the trial court that entered the judgment of conviction in their case to have the conviction dismissed and sealed pursuant to Section 1203.4 of the Penal Code.
8. Notwithstanding any other provision of law, the court may recall and resentence a person who is currently serving a sentence for a conviction, or who has completed his sentence for a conviction, upon application by the person or his counsel, or upon application by the district attorney, or on its own motion, if the person would not be prohibited from committing the offense in question because of having petitioned to resentence and receive a term of custody.
9. Upon conviction by serving sentence for a conviction, whether by trial or open or negotiated plea, who would not have been guilty of an offense or who would have been guilty of a lesser offense had the provisions of this act had been in effect at the time of the offense may petition for a recalculation of his sentence or his release. If a result or dismissal of sentence before the trial court that entered the judgment of conviction in their case to have the conviction dismissed and sealed pursuant to Section 1203.4 of the Penal Code.
10. Any person who is currently serving a sentence for a conviction, whether by trial or open or negotiated plea, who would not have been guilty of an offense or who could have been guilty of a lesser offense had the provisions of this act had been in effect at the time of the offense may petition for a recalculation of his sentence or his release. If a result or dismissal of sentence before the trial court that entered the judgment of conviction in their case to have the conviction dismissed and sealed pursuant to Section 1203.4 of the Penal Code.
11. Notwithstanding any other provision of law, the court may recall and resentence a person who is currently serving a sentence for a conviction, or who has completed his sentence for a conviction, upon application by the person or his counsel, or upon application by the district attorney, or on its own motion, if the person would not be prohibited from committing the offense in question because of having petitioned to resentence and receive a term of custody.
12. If the court that originally sentenced the petitioner is not available, the presiding judge shall designate another judge to rule on the petition or application.
13. Any person who has completed his sentence for a conviction, whether by trial or open or negotiated plea, who would not be guilty of an offense or who would be guilty of a lesser offense had the provisions of this act had been in effect at the time of the offense may petition for a recalculation of his sentence or dismissal of and expungement of his conviction in the court that imposed the sentence.
14. Nothing in this act shall be construed to diminish or abrogate the rights of parole officers with respect to persons released on parole.
15. Notwithstanding any other provision of law, the court may recall and resentence a "state convicted felon presoaking" under section 17 of Substitute for Senate Bill Amendment 1 of the 2011-12 Regular Session.
16. The provisions of this section shall apply equally to parole determinations and dispositions under Section 4852.01 of the Welfare and Institutions Code of the Department of Corrections and Rehabilitation, and to persons who are committed to the Department of Corrections and Rehabilitation or Department of Mental Health as a result of a felony conviction who are in custody or on parole or outpatient status or under the jurisdiction of those departments.
17. Under no circumstances may resentencing under this section result in the imposition of a term longer than the original sentence, or the dismissal of charges dismissed pursuant to a negotiated plea.

§ 11390.250 Out of State Distribution and Transport.

Psilocybin and Psilocybin Mushroom Products may not be exported or distributed, or cause to be transported or distributed, Psilocybin Mushrooms or Psilocybin Mushroom products outside the state and courts, unless authorized by Federal law.

SEC. 4. Liberal Construction.

This Act shall be liberally construed to effectuate its purposes.

SEC. 5. Severability.

The provisions of this Act are intended to be severable. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Act.

SEC. 6. Conflicting Measures.

In the event that this measure and another measure or measures concerning Psilocybin Mushrooms or other Psilocybin Mushrooms or other Psilocybin Mushrooms or other Psilocybin Mushrooms shall be submitted to the voters of the State of California at the same election, the intent of this measure is that the measure receiving a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and the provisions of the other measure or measures shall be void and ineffective.

SEC. 7. Sections 11390 and 11391 of the Health and Safety Code are hereby repealed.

SEC. 8. Amendment.

The provisions of this Act may be amended by the Legislature to further the purposes of the Act by a statute passed in each House by roll call vote entered in the journal, two-thirds of the membership concurring. Any implementing regulations promulgated by the California Department of Public Health shall become effective upon the date of such amendment.

SEC. 9. Legal Defense by the Attorney General.

The California Attorney General shall uphold and defend the Act from any and all challenges in the courts of any jurisdiction in the land.

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Paid for by Decriminalize California
Decriminalize California Inc
Decriminalize California
1800 Whitley Ave
#102
Hollywood, CA 90028

(888) 4-420420

Decriminalize.com

Contact Us
info@decriminalize.org
844-420-420

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