

AMENDED IN ASSEMBLY MAY 1, 2025

AMENDED IN ASSEMBLY APRIL 10, 2025

AMENDED IN ASSEMBLY MARCH 28, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1103

Introduced by Assembly Member Ward

February 20, 2025

An act to amend Section 11126 of the Government Code, and to amend Sections 11213, 11480, and ~~11481 of, and to add Sections 11480.1 and 11480.3 to, 11480.5 of, to amend, repeal, and add Section 11481 of, to add Section 11480.3 to, and to add, repeal, and add Section 11480.1 of,~~ the Health and Safety Code, relating to controlled substances.

LEGISLATIVE COUNSEL'S DIGEST

AB 1103, as amended, Ward. Controlled substances: research.

Existing law, the California Uniform Controlled Substances Act, classifies controlled substances into 5 designated schedules, with the most restrictive limitations generally placed on controlled substances classified in Schedule I, and the least restrictive limitations generally placed on controlled substances classified in Schedule V. Existing law creates a Research Advisory Panel, as specified, to conduct hearings on, and in other ways study, research projects concerning controlled substances. Existing law authorizes the panel to approve research projects that have been registered with the Attorney General concerning the nature and effects of cannabis or hallucinogenic drugs and the treatment of abuse of controlled substances. Existing law authorizes a person who, under federal law, is entitled to use controlled substances

for the purpose of research, instruction, or analysis, to lawfully obtain and use those controlled substances upon approval by the panel, as specified.

This bill would revise and recast these provisions to require the panel to review research projects to be conducted in this state that require the administration of Schedule I or Schedule II controlled substances to human and animal research subjects. The bill would ~~require the panel to prioritize and~~ *authorize the panel, until January 1, 2028, to expedite* the review of projects that satisfy certain criteria, including, among others things, that have sought or received certain federal approvals and have proof of independent peer review of the study, as described. The bill would authorize the chairperson of the panel to assign 2 or more panel members to review the research project and to approve it, without a vote by the entire panel. The bill would authorize the panel to withdraw its approval ~~of a research project only under specified circumstances~~ *for reasonable cause* and would require the panel to provide notice and time for the concern to be cured by the project before withdrawing its approval.

Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend. Existing law, until January 1, 2027, authorizes the Research Advisory Panel to hold closed sessions for the purpose of discussing, reviewing, and approving research projects that contain sensitive and confidential information, including trade secrets, intellectual property, or proprietary information in its possession, the public disclosure of which is prohibited by law.

This bill would extend the authorization to hold closed sessions to January 1, ~~2029~~ 2028.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 11126 of the Government Code is amended to read:

11126. (a) (1) Nothing in this article shall be construed to prevent a state body from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee unless the employee requests a public hearing.

(2) As a condition to holding a closed session on the complaints or charges to consider disciplinary action or to consider dismissal, the employee shall be given written notice of their right to have a public hearing, rather than a closed session, and that notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding a regular or special meeting. If notice is not given, any disciplinary or other action taken against any employee at the closed session shall be null and void.

(3) The state body also may exclude from any public or closed session, during the examination of a witness, any or all other witnesses in the matter being investigated by the state body.

(4) Following the public hearing or closed session, the body may deliberate on the decision to be reached in a closed session.

(b) For the purposes of this section, “employee” does not include any person who is elected to, or appointed to a public office by, any state body. However, officers of the California State University who receive compensation for their services, other than per diem and ordinary and necessary expenses, shall, when engaged in that capacity, be considered employees. Furthermore, for purposes of this section, the term employee includes a person exempt from civil service pursuant to subdivision (e) of Section 4 of Article VII of the California Constitution.

(c) Nothing in this article shall be construed to do any of the following:

(1) Prevent state bodies that administer the licensing of persons engaging in businesses or professions from holding closed sessions to prepare, approve, grade, or administer examinations.

(2) Prevent an advisory body of a state body that administers the licensing of persons engaged in businesses or professions from

1 conducting a closed session to discuss matters that the advisory
2 body has found would constitute an unwarranted invasion of the
3 privacy of an individual licensee or applicant if discussed in an
4 open meeting, provided the advisory body does not include a
5 quorum of the members of the state body it advises. Those matters
6 may include review of an applicant's qualifications for licensure
7 and an inquiry specifically related to the state body's enforcement
8 program concerning an individual licensee or applicant where the
9 inquiry occurs prior to the filing of a civil, criminal, or
10 administrative disciplinary action against the licensee or applicant
11 by the state body.

12 (3) Prohibit a state body from holding a closed session to
13 deliberate on a decision to be reached in a proceeding required to
14 be conducted pursuant to Chapter 5 (commencing with Section
15 11500) or similar provisions of law.

16 (4) Grant a right to enter any correctional institution or the
17 grounds of a correctional institution where that right is not
18 otherwise granted by law, nor shall anything in this article be
19 construed to prevent a state body from holding a closed session
20 when considering and acting upon the determination of a term,
21 parole, or release of any individual or other disposition of an
22 individual case, or if public disclosure of the subjects under
23 discussion or consideration is expressly prohibited by statute.

24 (5) Prevent any closed session to consider the conferring of
25 honorary degrees, or gifts, donations, and bequests that the donor
26 or proposed donor has requested in writing to be kept confidential.

27 (6) Prevent the Alcoholic Beverage Control Appeals Board or
28 the Cannabis Control Appeals Panel from holding a closed session
29 for the purpose of holding a deliberative conference as provided
30 in Section 11125.

31 (7) (A) Prevent a state body from holding closed sessions with
32 its negotiator prior to the purchase, sale, exchange, or lease of real
33 property by or for the state body to give instructions to its
34 negotiator regarding the price and terms of payment for the
35 purchase, sale, exchange, or lease.

36 (B) However, prior to the closed session, the state body shall
37 hold an open and public session in which it identifies the real
38 property or real properties that the negotiations may concern and
39 the person or persons with whom its negotiator may negotiate.

1 (C) For purposes of this paragraph, the negotiator may be a
2 member of the state body.

3 (D) For purposes of this paragraph, “lease” includes renewal or
4 renegotiation of a lease.

5 (E) Nothing in this paragraph shall preclude a state body from
6 holding a closed session for discussions regarding eminent domain
7 proceedings pursuant to subdivision (e).

8 (8) Prevent the California Postsecondary Education Commission
9 from holding closed sessions to consider matters pertaining to the
10 appointment or termination of the Director of the California
11 Postsecondary Education Commission.

12 (9) Prevent the Council for Private Postsecondary and
13 Vocational Education from holding closed sessions to consider
14 matters pertaining to the appointment or termination of the
15 Executive Director of the Council for Private Postsecondary and
16 Vocational Education.

17 (10) Prevent the Franchise Tax Board from holding closed
18 sessions for the purpose of discussion of confidential tax returns
19 or information the public disclosure of which is prohibited by law,
20 or from considering matters pertaining to the appointment or
21 removal of the Executive Officer of the Franchise Tax Board.

22 (11) Require the Franchise Tax Board to notice or disclose any
23 confidential tax information considered in closed sessions, or
24 documents executed in connection therewith, the public disclosure
25 of which is prohibited pursuant to Article 2 (commencing with
26 Section 19542) of Chapter 7 of Part 10.2 of Division 2 of the
27 Revenue and Taxation Code.

28 (12) Prevent the Board of State and Community Corrections
29 from holding closed sessions when considering reports of crime
30 conditions under Section 6027 of the Penal Code.

31 (13) Prevent the State Air Resources Board from holding closed
32 sessions when considering the proprietary specifications and
33 performance data of manufacturers.

34 (14) Prevent the State Board of Education or the Superintendent
35 of Public Instruction, or any committee advising the board or the
36 Superintendent, from holding closed sessions on those portions of
37 its review of assessment instruments pursuant to Chapter 5
38 (commencing with Section 60600) of Part 33 of Division 4 of Title
39 2 of the Education Code during which actual test content is

1 reviewed and discussed. The purpose of this provision is to
2 maintain the confidentiality of the assessments under review.

3 (15) Prevent the Department of Resources Recycling and
4 Recovery or its auxiliary committees from holding closed sessions
5 for the purpose of discussing confidential tax returns, discussing
6 trade secrets or confidential or proprietary information in its
7 possession, or discussing other data, the public disclosure of which
8 is prohibited by law.

9 (16) Prevent a state body that invests retirement, pension, or
10 endowment funds from holding closed sessions when considering
11 investment decisions. For purposes of consideration of shareholder
12 voting on corporate stocks held by the state body, closed sessions
13 for the purposes of voting may be held only with respect to election
14 of corporate directors, election of independent auditors, and other
15 financial issues that could have a material effect on the net income
16 of the corporation. For the purpose of real property investment
17 decisions that may be considered in a closed session pursuant to
18 this paragraph, a state body shall also be exempt from the
19 provisions of paragraph (7) relating to the identification of real
20 properties prior to the closed session.

21 (17) Prevent a state body, or boards, commissions,
22 administrative officers, or other representatives that may properly
23 be designated by law or by a state body, from holding closed
24 sessions with its representatives in discharging its responsibilities
25 under Chapter 10 (commencing with Section 3500), Chapter 10.3
26 (commencing with Section 3512), Chapter 10.5 (commencing with
27 Section 3525), or Chapter 10.7 (commencing with Section 3540)
28 of Division 4 of Title 1 as the sessions relate to salaries, salary
29 schedules, or compensation paid in the form of fringe benefits.
30 For the purposes enumerated in the preceding sentence, a state
31 body may also meet with a state conciliator who has intervened
32 in the proceedings.

33 (18) (A) Prevent a state body from holding closed sessions to
34 consider matters posing a threat or potential threat of criminal or
35 terrorist activity against the personnel, property, buildings,
36 facilities, or equipment, including electronic data, owned, leased,
37 or controlled by the state body, where disclosure of these
38 considerations could compromise or impede the safety or security
39 of the personnel, property, buildings, facilities, or equipment,

1 including electronic data, owned, leased, or controlled by the state
2 body.

3 (B) Notwithstanding any other law, a state body, at any regular
4 or special meeting, may meet in a closed session pursuant to
5 subparagraph (A) upon a two-thirds vote of the members present
6 at the meeting.

7 (C) After meeting in closed session pursuant to subparagraph
8 (A), the state body shall reconvene in open session prior to
9 adjournment and report that a closed session was held pursuant to
10 subparagraph (A), the general nature of the matters considered,
11 and whether any action was taken in closed session.

12 (D) After meeting in closed session pursuant to subparagraph
13 (A), the state body shall submit to the Legislative Analyst written
14 notification stating that it held this closed session, the general
15 reason or reasons for the closed session, the general nature of the
16 matters considered, and whether any action was taken in closed
17 session. The Legislative Analyst shall retain for no less than four
18 years any written notification received from a state body pursuant
19 to this subparagraph.

20 (19) Prevent the California Sex Offender Management Board
21 from holding a closed session for the purpose of discussing matters
22 pertaining to the application of a sex offender treatment provider
23 for certification pursuant to Sections 290.09 and 9003 of the Penal
24 Code. Those matters may include review of an applicant's
25 qualifications for certification.

26 (20) (A) Prevent the Research Advisory Panel established in
27 Sections 11480 and 11481 of the Health and Safety Code from
28 holding closed sessions for the purpose of discussing, reviewing,
29 and approving research projects, including applications and
30 amendment applications, that contain sensitive and confidential
31 information, including, but not limited to, trade secrets, intellectual
32 property, or proprietary information in its possession, the public
33 disclosure of which is prohibited by law.

34 (B) This paragraph shall become inoperative on January 1, ~~2029~~.
35 2028.

36 (21) (A) Prevent the governing board or advisory panel of the
37 California Earthquake Authority described in Section 10089.7 of
38 the Insurance Code from holding a closed session, to the extent
39 that session would address the development of rates, reinsurance,
40 and strategy, pursuant to the powers granted in paragraph (5) of

1 subdivision (c) of Section 10089.7 of the Insurance Code,
2 paragraph (7) of subdivision (b) of Section 10089.33 of the
3 Insurance Code, and subdivision (a) of Section 10089.40 of the
4 Insurance Code, when discussion in open session concerning those
5 matters would prejudice the position of the California Earthquake
6 Authority.

7 (B) Notwithstanding any other provision of law, the governing
8 board or advisory panel of the California Earthquake Authority,
9 at any regular or special meeting, may meet in a closed session
10 pursuant to subparagraph (A) upon a two-thirds vote of the
11 members present at the meeting taken after first providing an
12 opportunity for members of the public to be heard on the issue of
13 the appropriateness of meeting in closed session.

14 (C) After meeting in closed session pursuant to subparagraph
15 (A), the governing board or advisory panel of the California
16 Earthquake Authority shall reconvene in open session prior to
17 adjournment and report that a closed session was held pursuant to
18 subparagraph (A), the general nature of the matters considered,
19 and whether any action was taken in closed session.

20 (D) If the duration of a closed session held pursuant to
21 subparagraph (A) is longer than two hours, the governing board
22 or advisory panel of the California Earthquake Authority shall
23 provide reasonable notice to the public, either by email to the
24 California Earthquake Authority's public notice list or by posting
25 on the California Earthquake Authority's website, before
26 reconvening in open session pursuant to subparagraph (C).

27 (d) (1) Notwithstanding any other law, any meeting of the
28 Public Utilities Commission at which the rates of entities under
29 the commission's jurisdiction are changed shall be open and public.

30 (2) Nothing in this article shall be construed to prevent the
31 Public Utilities Commission from holding closed sessions to
32 deliberate on the institution of proceedings, or disciplinary actions
33 against any person or entity under the jurisdiction of the
34 commission.

35 (e) (1) Nothing in this article shall be construed to prevent a
36 state body, based on the advice of its legal counsel, from holding
37 a closed session to confer with, or receive advice from, its legal
38 counsel regarding pending litigation when discussion in open
39 session concerning those matters would prejudice the position of
40 the state body in the litigation.

1 (2) For purposes of this article, all expressions of the
2 lawyer-client privilege other than those provided in this subdivision
3 are hereby abrogated. This subdivision is the exclusive expression
4 of the lawyer-client privilege for purposes of conducting closed
5 session meetings pursuant to this article. For purposes of this
6 subdivision, litigation shall be considered pending when any of
7 the following circumstances exist:

8 (A) An adjudicatory proceeding before a court, an administrative
9 body exercising its adjudicatory authority, a hearing officer, or an
10 arbitrator, to which the state body is a party, has been initiated
11 formally.

12 (B) (i) A point has been reached where, in the opinion of the
13 state body on the advice of its legal counsel, based on existing
14 facts and circumstances, there is a significant exposure to litigation
15 against the state body.

16 (ii) Based on existing facts and circumstances, the state body
17 is meeting only to decide whether a closed session is authorized
18 pursuant to clause (i).

19 (C) Based on existing facts and circumstances, the state body
20 has decided to initiate or is deciding whether to initiate litigation.

21 (3) The legal counsel of the state body shall prepare and submit
22 to it a memorandum stating the specific reasons and legal authority
23 for the closed session. If the closed session is pursuant to
24 subparagraph (A) of paragraph (2), the memorandum shall include
25 the title of the litigation. If the closed session is pursuant to
26 subparagraph (B) or (C) of paragraph (2), the memorandum shall
27 include the existing facts and circumstances on which it is based.
28 The legal counsel shall submit the memorandum to the state body
29 prior to the closed session, if feasible, and in any case no later than
30 one week after the closed session. The memorandum shall be
31 exempt from disclosure pursuant to Section 7927.205.

32 (4) For purposes of this subdivision, “litigation” includes any
33 adjudicatory proceeding, including eminent domain, before a court,
34 administrative body exercising its adjudicatory authority, hearing
35 officer, or arbitrator.

36 (5) Disclosure of a memorandum required under this subdivision
37 shall not be deemed as a waiver of the lawyer-client privilege, as
38 provided for under Article 3 (commencing with Section 950) of
39 Chapter 4 of Division 8 of the Evidence Code.

1 (f) In addition to subdivisions (a), (b), and (c), nothing in this
2 article shall be construed to do any of the following:

3 (1) Prevent a state body operating under a joint powers
4 agreement for insurance pooling from holding a closed session to
5 discuss a claim for the payment of tort liability or public liability
6 losses incurred by the state body or any member agency under the
7 joint powers agreement.

8 (2) Prevent the examining committee established by the State
9 Board of Forestry and Fire Protection, pursuant to Section 763 of
10 the Public Resources Code, from conducting a closed session to
11 consider disciplinary action against an individual professional
12 forester prior to the filing of an accusation against the forester
13 pursuant to Section 11503.

14 (3) Prevent the enforcement advisory committee established by
15 the California Board of Accountancy pursuant to Section 5020 of
16 the Business and Professions Code from conducting a closed
17 session to consider disciplinary action against an individual
18 accountant prior to the filing of an accusation against the
19 accountant pursuant to Section 11503. Nothing in this article shall
20 be construed to prevent the qualifications examining committee
21 established by the California Board of Accountancy pursuant to
22 Section 5023 of the Business and Professions Code from
23 conducting a closed hearing to interview an individual applicant
24 or accountant regarding the applicant's qualifications.

25 (4) Prevent a state body, as defined in subdivision (b) of Section
26 11121, from conducting a closed session to consider any matter
27 that properly could be considered in closed session by the state
28 body whose authority it exercises.

29 (5) Prevent a state body, as defined in subdivision (d) of Section
30 11121, from conducting a closed session to consider any matter
31 that properly could be considered in a closed session by the body
32 defined as a state body pursuant to subdivision (a) or (b) of Section
33 11121.

34 (6) Prevent a state body, as defined in subdivision (c) of Section
35 11121, from conducting a closed session to consider any matter
36 that properly could be considered in a closed session by the state
37 body it advises.

38 (7) Prevent the State Board of Equalization from holding closed
39 sessions for either of the following:

1 (A) When considering matters pertaining to the appointment or
2 removal of the Executive Secretary of the State Board of
3 Equalization.

4 (B) For the purpose of hearing confidential taxpayer appeals or
5 data, the public disclosure of which is prohibited by law.

6 (8) Require the State Board of Equalization to disclose any
7 action taken in closed session or documents executed in connection
8 with that action, the public disclosure of which is prohibited by
9 law pursuant to Sections 15619 and 15641 of this code and Sections
10 833, 7056, 8255, 9255, 11655, 30455, 32455, 38705, 38706, 43651,
11 45982, 46751, 50159, 55381, and 60609 of the Revenue and
12 Taxation Code.

13 (9) Prevent the California Earthquake Prediction Evaluation
14 Council, or other body appointed to advise the Director of
15 Emergency Services or the Governor concerning matters relating
16 to volcanic or earthquake predictions, from holding closed sessions
17 when considering the evaluation of possible predictions.

18 (g) This article does not prevent either of the following:

19 (1) The Teachers' Retirement Board or the Board of
20 Administration of the Public Employees' Retirement System from
21 holding closed sessions when considering matters pertaining to
22 the recruitment, appointment, employment, or removal of the chief
23 executive officer or when considering matters pertaining to the
24 recruitment or removal of the Chief Investment Officer of the State
25 Teachers' Retirement System or the Public Employees' Retirement
26 System.

27 (2) The Commission on Teacher Credentialing from holding
28 closed sessions when considering matters relating to the
29 recruitment, appointment, or removal of its executive director.

30 (h) This article does not prevent the Board of Administration
31 of the Public Employees' Retirement System from holding closed
32 sessions when considering matters relating to the development of
33 rates and competitive strategy for plans offered pursuant to Chapter
34 15 (commencing with Section 21660) of Part 3 of Division 5 of
35 Title 2.

36 (i) This article does not prevent the Managed Risk Medical
37 Insurance Board from holding closed sessions when considering
38 matters related to the development of rates and contracting strategy
39 for entities contracting or seeking to contract with the board,
40 entities with which the board is considering a contract, or entities

1 with which the board is considering or enters into any other
2 arrangement under which the board provides, receives, or arranges
3 services or reimbursement, pursuant to Part 6.2 (commencing with
4 Section 12693), former Part 6.3 (commencing with Section 12695),
5 former Part 6.4 (commencing with Section 12699.50), former Part
6 6.5 (commencing with Section 12700), former Part 6.6
7 (commencing with Section 12739.5), or former Part 6.7
8 (commencing with Section 12739.70) of Division 2 of the
9 Insurance Code.

10 (j) Nothing in this article shall be construed to prevent the board
11 of the State Compensation Insurance Fund from holding closed
12 sessions in the following:

13 (1) When considering matters related to claims pursuant to
14 Chapter 1 (commencing with Section 3200) of Part 1 of Division
15 4 of the Labor Code, to the extent that confidential medical
16 information or other individually identifiable information would
17 be disclosed.

18 (2) To the extent that matters related to audits and investigations
19 that have not been completed would be disclosed.

20 (3) To the extent that an internal audit containing proprietary
21 information would be disclosed.

22 (4) To the extent that the session would address the development
23 of rates, contracting strategy, underwriting, or competitive strategy,
24 pursuant to the powers granted to the board in Chapter 4
25 (commencing with Section 11770) of Part 3 of Division 2 of the
26 Insurance Code, when discussion in open session concerning those
27 matters would prejudice the position of the State Compensation
28 Insurance Fund.

29 (k) The State Compensation Insurance Fund shall comply with
30 the procedures specified in Section 11125.4 of the Government
31 Code with respect to any closed session or meeting authorized by
32 subdivision (j), and in addition shall provide an opportunity for a
33 member of the public to be heard on the issue of the
34 appropriateness of closing the meeting or session.

35 SEC. 2. Section 11213 of the Health and Safety Code is
36 amended to read:

37 11213. (a) Persons who, under applicable federal laws or
38 regulations, are lawfully entitled to use Schedule I, Schedule II,
39 or both, controlled substances for the purpose of research,
40 instruction, or analysis, may lawfully obtain and use those

1 substances, as defined in this division, for those purposes upon
2 approval for use of those controlled substances in bona fide
3 research, instruction, or analysis by the Research Advisory Panel
4 established pursuant to Section 11480.

5 (b) Such research, instruction, or analysis shall be carried on
6 only under the auspices of the head of a research project that has
7 been approved by the Research Advisory Panel pursuant to Section
8 11480.1. Complete records of receipts, stocks at hand, and use of
9 these controlled substances shall be kept.

10 SEC. 3. Section 11480 of the Health and Safety Code is
11 amended to read:

12 11480. (a) The Legislature finds that there is a need to
13 encourage further research into the nature and effects of cannabis
14 and hallucinogenic drugs and to coordinate research efforts on
15 such subjects.

16 (b) There is a Research Advisory Panel that consists of a
17 representative of the State Department of Health Services, a
18 representative of the California State Board of Pharmacy, the State
19 Public Health Officer, a representative of the Attorney General, a
20 representative of the University of California who shall be a
21 pharmacologist, a physician, or a person holding a doctorate degree
22 in the health sciences, a representative of a private university in
23 this state who shall be a pharmacologist, a physician, or a person
24 holding a doctorate degree in the health sciences, a representative
25 of a statewide professional medical society in this state who shall
26 be engaged in the private practice of medicine and shall be
27 experienced in treating controlled substance dependency, a
28 representative appointed by and serving at the pleasure of the
29 Governor who shall have experience in drug abuse, cancer, or
30 controlled substance research and who is either a registered nurse,
31 licensed pursuant to Chapter 6 (commencing with Section 2700)
32 of Division 2 of the Business and Professions Code, or other health
33 professional. The Governor shall annually designate the private
34 university and the professional medical society represented on the
35 panel. Members of the panel shall be appointed by the heads of
36 the entities to be represented, and they shall serve at the pleasure
37 of the appointing power.

38 (c) The panel shall annually select a chairperson from among
39 its members. In order to ensure continuity, the Attorney General
40 shall also continue to employ an executive officer of the panel and

1 necessary employees, whose duties shall include, but not be limited
2 to, coordinating with the panel's chairperson to assign incoming
3 research project applications for review or approval by individual
4 panel members with relevant core competencies.

5 (d) Members of the panel shall serve without compensation, but
6 shall be reimbursed for any actual and necessary expenses incurred
7 in connection with the performance of their duties.

8 SEC. 4. Section 11480.1 is added to the Health and Safety
9 Code, to read:

10 11480.1. (a) In order to ensure compliance with state law and
11 public policy protecting the rights of human subjects and the
12 welfare of animal subjects in medical and scientific research, the
13 panel shall review research projects to be conducted in this state
14 that would require the administration of Schedule I or Schedule II
15 controlled substances to research subjects.

16 (b) The panel shall inform the Attorney General of the head of
17 the approved research projects that are entitled to receive quantities
18 of cannabis pursuant to Section 11478.

19 (c) The panel ~~shall prioritize and~~ *may* expedite the review of
20 applications for research projects involving the administration of
21 Schedule I, Schedule II, or both, controlled substances that include
22 all of the following:

23 (1) For all research projects, proof of independent peer review
24 of the study by the National Institutes of Health, the United States
25 Department of Defense, the Heffter Research Institute, the United
26 States National Science Foundation, or a comparable ~~group~~: *group*
27 *within an institutional setting that has previous experience with*
28 *research or grant review*.

29 (2) For research projects involving human subjects, if approval
30 by the United States Food and Drug Administration of an
31 investigational new drug application is otherwise required by law,
32 one of the following:

33 (A) A letter from the United States Food and Drug
34 Administration approving the application for an investigational
35 new drug.

36 (B) A letter from the United States Food and Drug
37 Administration indicating that the study may proceed.

38 (C) Documentation that the 30-day statutory period for the
39 United States Food and Drug Administration to respond to a

1 project's submission of an application for approval of an
2 investigational new drug has expired.

3 (D) A signed copy of the United States Food and Drug
4 Administration Investigational New Drug Application.

5 (3) For research projects involving human subjects, an approval
6 letter from an institutional review board established in accordance
7 with federal law, including, but not limited to, Part 46 of Title 45
8 of the Code of Federal Regulations, of all study documents
9 demonstrating that the board has considered relevant federal and
10 state laws regarding the use of human subjects, including, but not
11 limited to, the Protection of Human Subjects in Medical
12 Experimentation Act (Chapter 1.3 (commencing with Section
13 24170) of Division 20) and laws governing research involving
14 inmates, as described in Title 2.1 (commencing with Section 3500)
15 of Part 3 of the Penal Code and that the research project is in
16 compliance with all other state laws, including, but not limited to,
17 the Information Practices Act of 1977 (Chapter 1 (commencing
18 with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil
19 Code), and laws governing birth and death certificates, as described
20 in Part 1 (commencing with Section 102100) of Division 102. A
21 letter submitted pursuant to this paragraph may indicate approval
22 by the board conditioned upon the approval of the panel.

23 (4) For all research projects, one of the following:

24 (A) A Schedule I research registration issued by the United
25 States Drug Enforcement Administration.

26 (B) An approval from the United States Drug Enforcement
27 Administration for a research registration that is conditional on
28 the approval of the panel.

29 (C) A copy of the application for a research registration
30 submitted to the United States Drug Enforcement Administration,
31 accompanied by a written acknowledgment of receipt of the
32 application.

33 (5) For research projects involving animal subjects, an approval
34 letter from an institutional animal care and use committee (IACUC)
35 established pursuant to federal law of all study documents
36 demonstrating that the IACUC has considered relevant federal and
37 state laws regarding for the use of live, vertebrate animals in the
38 research project, and their humane treatment in compliance with
39 all applicable state and federal regulations.

(d) Applications for research projects that do not satisfy the criteria set forth in subdivision (c) shall be reviewed pursuant to the standard review process and approved by a review of the full panel. The panel's process for conducting expedited review and its criteria for approving research projects eligible for prioritization described in subdivision (c) shall be published on the panel's internet website.

(e) Upon receiving a research project application that satisfies the criteria in subdivision (c), the panel chairperson, in consultation with the panel's executive officer, may assign two or more individual panel members to conduct an expedited review of eligible research applications and approve them on behalf of the panel without the need for a full panel vote at a regularly scheduled bimonthly meeting of the panel. ~~Individual meeting of the panel.~~ Assigned panel members shall have the authority to approve research project applications eligible for expedited review that also satisfy the criteria for approval published on the panel's internet website, pursuant to subdivision (d). Individual panel members are additionally authorized to communicate and consult asynchronously with other individual panel members with complementary core competencies outside of panel meetings in order to conduct their individual reviews. Panel members shall notify the panel's chairperson and executive officer of their decision to approve or withhold approval of the eligible research applications assigned for their review.

(f) *This section shall remain in effect only until January 1, 2028, and as of that date is repealed.*

SEC. 5. *Section 11480.1 is added to the Health and Safety Code, to read:*

11480.1. (a) *In order to ensure compliance with state law and public policy protecting the rights of human subjects and the welfare of animal subjects in medical and scientific research, the panel shall review research projects to be conducted in this state that would require the administration of Schedule I or Schedule II controlled substances to research subjects.*

(b) *The panel shall inform the Attorney General of the head of the approved research projects that are entitled to receive quantities of cannabis pursuant to Section 11478.*

(c) *This section shall become operative January 1, 2028.*

~~SEC. 5.~~

SEC. 6. Section 11480.3 is added to the Health and Safety Code, to read:

11480.3. (a) The panel may withdraw approval from a research project under either of the following circumstances: *for reasonable cause.*

~~(1) The panel has substantial concerns about the safety and well-being of human research subjects.~~

~~(2) The panel has substantial concerns that controlled substance research samples are being diverted.~~

(b) Prior to withdrawing approval, the panel shall communicate its concerns in a written notice of pending withdrawal of approval to the head of the research project. The notice shall prescribe a course of action to address the concerns of the panel and provide a reasonable period in which to effect that cure, but not less than 10 days prior to the effective date of the withdrawal.

(c) Approval ~~shall~~ *may* be reinstated once the concerns raised in the notice have been resolved to the reasonable satisfaction of the panel.

(d) Upon withdrawal of its approval, the panel shall notify the head of the research project to return or destroy any quantities of Schedule I or II controlled substances pursuant to any applicable state and federal regulations regarding the return or destruction of controlled substance research samples.

SEC. 7. Section 11480.5 of the Health and Safety Code is amended to read:

11480.5. (a) The Research Advisory Panel shall be considered a multimember advisory body solely for the purposes of Section 11123.5 of the Government Code.

(b) The panel shall provide a report to the Legislature on or before January 1, 2026, that provides an update on the backlog of applications that includes, at minimum, the number of backlog applications that have been reviewed and how many are still pending review.

(c) This section shall remain in effect only until January 1, 2027, 2028, and as of that date is repealed.

~~SEC. 6.~~

SEC. 8. Section 11481 of the Health and Safety Code is amended to read:

1 11481. (a) The panel shall, annually and in the manner
2 determined by the panel, report to the Legislature and the Governor
3 those research projects approved by the panel, the nature of each
4 research project, *whether it was approved under the expedited*
5 *process set forth in subdivision (c) of Section 11480.1*, and where
6 available, the conclusions of the research project.

7 (b) *This section shall remain in effect only until January 1, 2028,*
8 *and as of that date is repealed.*

9 SEC. 9. *Section 11481 is added to the Health and Safety Code,*
10 *to read:*

11 11481. (a) *The panel shall, annually and in the manner*
12 *determined by the panel, report to the Legislature and the*
13 *Governor those research projects approved by the panel, the nature*
14 *of each research project, whether it was approved under the*
15 *expedited process set forth in subdivision (c) of former Section*
16 *11480.1, and where available, the conclusions of the research*
17 *project.*

18 (b) *This section shall become operative January 1, 2028.*

19 ~~SEC. 7.~~

20 SEC. 10. The Legislature finds and declares that Section 1 of
21 this act, which amends Section 11126 of the Government Code,
22 imposes a limitation on the public's right of access to the meetings
23 of public bodies or the writings of public officials and agencies
24 within the meaning of Section 3 of Article I of the California
25 Constitution. Pursuant to that constitutional provision, the
26 Legislature makes the following findings to demonstrate the interest
27 protected by this limitation and the need for protecting that interest:

28 In order to allow the Research Advisory Panel to conduct its
29 review and approval of research studies in a quick manner, protect
30 the privacy of subjects, and maintain the confidentiality of
31 proprietary data, trade secrets, potential intellectual property, or
32 other information, the public disclosure of which is prohibited by
33 state or federal laws, or both, and regulations, it is necessary to
34 provide the advisory panel with this limited exemption from the
35 Bagley-Keene Open Meeting Act.