

AMENDED IN ASSEMBLY MARCH 28, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1103**

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**Introduced by Assembly Member Ward**

February 20, 2025

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An act to amend *Section 11126 of the Government Code*, and to amend Sections 11213, 11480, and ~~11481~~, of ~~11481~~ of, and to add Sections 11480.1 and 11480.3 to, 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.

The bill would exempt studies registered with the United States Drug Enforcement Agency into the therapeutic administration of psychedelics

~~to treat specified disorders in military veterans and conducted at Veterans Affairs Administration facilities from authorization or review by the Research Advisory Panel.~~

*This bill would revise and recast these provisions to require the panel to review research projects that require the administration of Schedule I and Schedule II controlled substances to human research subjects. The bill would require the panel to prioritize and expedite the review of projects 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 one 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 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.*

*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:*

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

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

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

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

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

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

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

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

35 (2) Prevent an advisory body of a state body that administers  
36 the licensing of persons engaged in businesses or professions from  
37 conducting a closed session to discuss matters that the advisory  
38 body has found would constitute an unwarranted invasion of the  
39 privacy of an individual licensee or applicant if discussed in an  
40 open meeting, provided the advisory body does not include a

1 quorum of the members of the state body it advises. Those matters  
2 may include review of an applicant's qualifications for licensure  
3 and an inquiry specifically related to the state body's enforcement  
4 program concerning an individual licensee or applicant where the  
5 inquiry occurs prior to the filing of a civil, criminal, or  
6 administrative disciplinary action against the licensee or applicant  
7 by the state body.

8 (3) Prohibit a state body from holding a closed session to  
9 deliberate on a decision to be reached in a proceeding required to  
10 be conducted pursuant to Chapter 5 (commencing with Section  
11 11500) or similar provisions of law.

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

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

23 (6) Prevent the Alcoholic Beverage Control Appeals Board or  
24 the Cannabis Control Appeals Panel from holding a closed session  
25 for the purpose of holding a deliberative conference as provided  
26 in Section 11125.

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

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

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

38 (D) For purposes of this paragraph, "lease" includes renewal or  
39 renegotiation of a lease.

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

4 (8) Prevent the California Postsecondary Education Commission  
5 from holding closed sessions to consider matters pertaining to the  
6 appointment or termination of the Director of the California  
7 Postsecondary Education Commission.

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

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

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

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

27 (13) Prevent the State Air Resources Board from holding closed  
28 sessions when considering the proprietary specifications and  
29 performance data of manufacturers.

30 (14) Prevent the State Board of Education or the Superintendent  
31 of Public Instruction, or any committee advising the board or the  
32 Superintendent, from holding closed sessions on those portions of  
33 its review of assessment instruments pursuant to Chapter 5  
34 (commencing with Section 60600) of Part 33 of Division 4 of Title  
35 2 of the Education Code during which actual test content is  
36 reviewed and discussed. The purpose of this provision is to  
37 maintain the confidentiality of the assessments under review.

38 (15) Prevent the Department of Resources Recycling and  
39 Recovery or its auxiliary committees from holding closed sessions  
40 for the purpose of discussing confidential tax returns, discussing

1 trade secrets or confidential or proprietary information in its  
2 possession, or discussing other data, the public disclosure of which  
3 is prohibited by law.

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

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

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

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

1 (C) After meeting in closed session pursuant to subparagraph  
2 (A), the state body shall reconvene in open session prior to  
3 adjournment and report that a closed session was held pursuant to  
4 subparagraph (A), the general nature of the matters considered,  
5 and whether any action was taken in closed session.

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

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

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

28 (B) This paragraph shall become inoperative on January 1, ~~2027~~.  
29 2029.

30 (21) (A) Prevent the governing board or advisory panel of the  
31 California Earthquake Authority described in Section 10089.7 of  
32 the Insurance Code from holding a closed session, to the extent  
33 that session would address the development of rates, reinsurance,  
34 and strategy, pursuant to the powers granted in paragraph (5) of  
35 subdivision (c) of Section 10089.7 of the Insurance Code,  
36 paragraph (7) of subdivision (b) of Section 10089.33 of the  
37 Insurance Code, and subdivision (a) of Section 10089.40 of the  
38 Insurance Code, when discussion in open session concerning those  
39 matters would prejudice the position of the California Earthquake  
40 Authority.

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

8 (C) After meeting in closed session pursuant to subparagraph  
9 (A), the governing board or advisory panel of the California  
10 Earthquake Authority shall reconvene in open session prior to  
11 adjournment and report that a closed session was held pursuant to  
12 subparagraph (A), the general nature of the matters considered,  
13 and whether any action was taken in closed session.

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

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

24 (2) Nothing in this article shall be construed to prevent the  
25 Public Utilities Commission from holding closed sessions to  
26 deliberate on the institution of proceedings, or disciplinary actions  
27 against any person or entity under the jurisdiction of the  
28 commission.

29 (e) (1) Nothing in this article shall be construed to prevent a  
30 state body, based on the advice of its legal counsel, from holding  
31 a closed session to confer with, or receive advice from, its legal  
32 counsel regarding pending litigation when discussion in open  
33 session concerning those matters would prejudice the position of  
34 the state body in the litigation.

35 (2) For purposes of this article, all expressions of the  
36 lawyer-client privilege other than those provided in this subdivision  
37 are hereby abrogated. This subdivision is the exclusive expression  
38 of the lawyer-client privilege for purposes of conducting closed  
39 session meetings pursuant to this article. For purposes of this



1 subdivision, litigation shall be considered pending when any of  
2 the following circumstances exist:

3 (A) An adjudicatory proceeding before a court, an administrative  
4 body exercising its adjudicatory authority, a hearing officer, or an  
5 arbitrator, to which the state body is a party, has been initiated  
6 formally.

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

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

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

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

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

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

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

37 (1) Prevent a state body operating under a joint powers  
38 agreement for insurance pooling from holding a closed session to  
39 discuss a claim for the payment of tort liability or public liability

1 losses incurred by the state body or any member agency under the  
2 joint powers agreement.

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

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

20 (4) Prevent a state body, as defined in subdivision (b) of Section  
21 11121, from conducting a closed session to consider any matter  
22 that properly could be considered in closed session by the state  
23 body whose authority it exercises.

24 (5) Prevent a state body, as defined in subdivision (d) of Section  
25 11121, from conducting a closed session to consider any matter  
26 that properly could be considered in a closed session by the body  
27 defined as a state body pursuant to subdivision (a) or (b) of Section  
28 11121.

29 (6) Prevent a state body, as defined in subdivision (c) 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 state  
32 body it advises.

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

35 (A) When considering matters pertaining to the appointment or  
36 removal of the Executive Secretary of the State Board of  
37 Equalization.

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

1 (8) Require the State Board of Equalization to disclose any  
2 action taken in closed session or documents executed in connection  
3 with that action, the public disclosure of which is prohibited by  
4 law pursuant to Sections 15619 and 15641 of this code and Sections  
5 833, 7056, 8255, 9255, 11655, 30455, 32455, 38705, 38706, 43651,  
6 45982, 46751, 50159, 55381, and 60609 of the Revenue and  
7 Taxation Code.

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

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

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

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

25 (h) This article does not prevent the Board of Administration  
26 of the Public Employees' Retirement System from holding closed  
27 sessions when considering matters relating to the development of  
28 rates and competitive strategy for plans offered pursuant to Chapter  
29 15 (commencing with Section 21660) of Part 3 of Division 5 of  
30 Title 2.

31 (i) This article does not prevent the Managed Risk Medical  
32 Insurance Board from holding closed sessions when considering  
33 matters related to the development of rates and contracting strategy  
34 for entities contracting or seeking to contract with the board,  
35 entities with which the board is considering a contract, or entities  
36 with which the board is considering or enters into any other  
37 arrangement under which the board provides, receives, or arranges  
38 services or reimbursement, pursuant to Part 6.2 (commencing with  
39 Section 12693), former Part 6.3 (commencing with Section 12695),  
40 former Part 6.4 (commencing with Section 12699.50), former Part

1 6.5 (commencing with Section 12700), former Part 6.6  
2 (commencing with Section 12739.5), or former Part 6.7  
3 (commencing with Section 12739.70) of Division 2 of the  
4 Insurance Code.

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

8 (1) When considering matters related to claims pursuant to  
9 Chapter 1 (commencing with Section 3200) of Part 1 of Division  
10 4 of the Labor Code, to the extent that confidential medical  
11 information or other individually identifiable information would  
12 be disclosed.

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

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

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

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

30 ~~SECTION 1.~~

31 *SEC. 2.* Section 11213 of the Health and Safety Code is  
32 amended to read:

33 11213. (a) Persons who, under applicable federal laws or  
34 regulations, are lawfully entitled to use *Schedule I and Schedule*  
35 *II* controlled substances for the purpose of research, instruction,  
36 or analysis, may lawfully obtain and use ~~controlled those~~  
37 substances, as defined in this division, for those purposes upon  
38 approval for use of ~~such those~~ controlled substances in bona fide  
39 research, instruction, or analysis by the Research Advisory Panel  
40 established pursuant to Section ~~11480 and 11481.~~ 11480.

1 (b) Such research, instruction, or analysis shall be carried on  
2 only under the auspices of the head of a research project that has  
3 been approved by the Research Advisory Panel pursuant to Section  
4 11480 or Section 11481. 11480.1. Complete records of receipts,  
5 stocks at hand, and use of these controlled substances shall be kept.

6 ~~(e) Notwithstanding any other law, a research study registered~~  
7 ~~with the United States Drug Enforcement Agency into the~~  
8 ~~therapeutic administration of psychedelics to treat military veterans~~  
9 ~~with post-traumatic stress disorder, traumatic brain injury,~~  
10 ~~substance use disorders, and treatment-resistant depression, and~~  
11 ~~conducted at a Veterans Affairs Administration facility, is exempt~~  
12 ~~from authorization or review by the Research Advisory Panel.~~

13 ~~SEC. 2.~~

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

16 11480. (a) The Legislature finds that there is a need to  
17 encourage further research into the nature and effects of cannabis  
18 and hallucinogenic drugs and to coordinate research efforts on  
19 such subjects.

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

1 the entities to be represented, and they shall serve at the pleasure  
2 of the appointing power.

3 (c) The Research Advisory Panel shall appoint two special  
4 members to the Research Advisory Panel, who shall serve at the  
5 pleasure of the Research Advisory Panel only during the period  
6 Article 6 (commencing with Section 11260) of Chapter 5 remains  
7 effective. The additional members shall be physicians and surgeons,  
8 and who are board certified in oncology, ophthalmology, or  
9 psychiatry.

10 (d) The panel shall annually select a chairperson from among  
11 its members. *The Attorney General may also appoint an executive*  
12 *officer of the panel, whose duties include coordinating with the*  
13 *panel's chairperson to assign incoming research project*  
14 *applications for review or approval by individual panel members*  
15 *with relevant core competencies.*

16 ~~(e) The panel may hold hearings on, and in other ways study,~~  
17 ~~research projects concerning cannabis or hallucinogenic drugs in~~  
18 ~~this state. Members of the panel shall serve without compensation,~~  
19 ~~but shall be reimbursed for any actual and necessary expenses~~  
20 ~~incurred in connection with the performance of their duties.~~

21 ~~(f) The panel may approve research projects, which have been~~  
22 ~~registered by the Attorney General, into the nature and effects of~~  
23 ~~cannabis or hallucinogenic drugs, and shall inform the Attorney~~  
24 ~~General of the head of the approved research projects that are~~  
25 ~~entitled to receive quantities of cannabis pursuant to Section 11478.~~

26 ~~(g) The panel may withdraw approval of a research project at~~  
27 ~~any time, and when approval is withdrawn shall notify the head~~  
28 ~~of the research project to return any quantities of cannabis to the~~  
29 ~~Attorney General.~~

30 ~~(h) The panel shall report annually to the Legislature and the~~  
31 ~~Governor those research projects approved by the panel, the nature~~  
32 ~~of each research project, and, where available, the conclusions of~~  
33 ~~the research project.~~

34 ~~(i) Notwithstanding any other law, a research study registered~~  
35 ~~with the United States Drug Enforcement Agency into the~~  
36 ~~therapeutic administration of psychedelics to treat military veterans~~  
37 ~~with post-traumatic stress disorder, traumatic brain injury,~~  
38 ~~substance use disorders, and treatment-resistant depression, and~~  
39 ~~conducted at a Veterans Affairs Administration facility, is exempt~~  
40 ~~from authorization or review by the Research Advisory Panel.~~

1     (e) *Members of the panel shall serve without compensation, but*  
2 *shall be reimbursed for any actual and necessary expenses incurred*  
3 *in connection with the performance of their duties.*

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

6     11480.1. (a) *In order to ensure compliance with state law and*  
7 *public policy protecting the rights of human subjects in medical*  
8 *and scientific research, the panel shall review research projects*  
9 *that require the administration of Schedule I or Schedule II*  
10 *controlled substances to human research subjects conducted in*  
11 *this state.*

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

15     (c) *The panel shall prioritize and expedite the review of research*  
16 *project applications that include all of the following:*

17     (1) *Proof of independent peer review of the study by the National*  
18 *Institutes of Health, the United States Department of Defense, the*  
19 *Heffter Research Institute, the United States National Science*  
20 *Foundation, or a comparable group.*

21     (2) *If approval by the United States Food and Drug*  
22 *Administration of an investigational new drug application is*  
23 *otherwise required by law, one of the following:*

24     (A) *A letter from the United States Food and Drug*  
25 *Administration approving the application for an investigational*  
26 *new drug.*

27     (B) *A letter from the United States Food and Drug*  
28 *Administration indicating that the study may proceed.*

29     (C) *Documentation that the 30-day statutory period for the*  
30 *United States Food and Drug Administration to respond to a*  
31 *project's submission of an application for approval of an*  
32 *investigational new drug has expired.*

33     (D) *A signed copy of the United States Food and Drug*  
34 *Administration Investigational New Drug Application.*

35     (3) *An approval letter from a federally chartered institutional*  
36 *review board of all study documents demonstrating that the board*  
37 *has considered relevant federal and state laws regarding the use*  
38 *of human subjects, including, but not limited to, the Protection of*  
39 *Human Subjects in Medical Experimentation Act (Chapter 1.3*  
40 *(commencing with Section 24170) of Division 20) and laws*

governing research involving inmates, as described in Title 2.1 (commencing with Section 3500) of Part 3 of the Penal Code and that the research project is in compliance with all other state laws, including, but not limited to, the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code), and laws governing birth and death certificates, as described in Part 1 (commencing with Section 102100) of Division 102. A letter submitted pursuant to this paragraph may indicate approval by the board conditioned upon the approval of the panel.

(4) One of the following:

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

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

(C) A copy of the application for a research registration submitted to the United States Drug Enforcement Administration.

(d) 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 Attorney General'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 one 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 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 Attorney General'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 and approve research eligible research applications.

SEC. 5. Section 11480.3 is added to the Health and Safety Code, to read:



1 11480.3. (a) The panel may withdraw approval from a  
2 research project under either of the following circumstances:

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

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

7 (b) Prior to withdrawing approval, the panel shall communicate  
8 its concerns in a written notice of pending withdrawal of approval  
9 to the head of the research project. The notice shall prescribe a  
10 course of action to address the concerns of the panel and provide  
11 a reasonable period in which to effect that cure, but not less than  
12 10 days prior to the effective date of the withdrawal.

13 (c) Approval shall be reinstated once the concerns raised in the  
14 notice have been resolved to the reasonable satisfaction of the  
15 panel.

16 (d) Upon withdrawal of its approval, the panel shall notify the  
17 head of the research project to return any quantities of cannabis  
18 to the Attorney General, subject to any federal regulations  
19 regarding the return or destruction of controlled substance  
20 research samples.

21 ~~SEC. 3.~~

22 SEC. 6. Section 11481 of the Health and Safety Code is  
23 amended to read:

24 ~~11481. (a) The Research Advisory Panel may hold hearings~~  
25 ~~on, and in other ways study, research projects concerning the~~  
26 ~~treatment of abuse of controlled substances.~~

27 ~~(b) The panel may approve research projects, which have been~~  
28 ~~registered by the Attorney General, concerning the treatment of~~  
29 ~~abuse of controlled substances and shall inform the chief of such~~  
30 ~~approval. The panel may withdraw approval of a research project~~  
31 ~~at any time and when approval is withdrawn shall so notify the~~  
32 ~~chief.~~

33 ~~(c)~~

34 ~~11481.~~ The panel shall, annually and in the manner determined  
35 by the panel, report to the Legislature and the Governor those  
36 research projects approved by the panel, the nature of each research  
37 project, and where available, the conclusions of the research  
38 project.

39 ~~(d) Notwithstanding any other law, a research study registered~~  
40 ~~with the United States Drug Enforcement Agency into the~~

1 therapeutic administration of psychedelics to treat military veterans  
2 with post-traumatic stress disorder, traumatic brain injury,  
3 substance use disorders, and treatment-resistant depression, and  
4 conducted at a Veterans Affairs Administration facility, is exempt  
5 from authorization or review by the Research Advisory Panel.

6 *SEC. 7. The Legislature finds and declares that Section 1 of*  
7 *this act, which amends Section 11126 of the Government Code,*  
8 *imposes a limitation on the public's right of access to the meetings*  
9 *of public bodies or the writings of public officials and agencies*  
10 *within the meaning of Section 3 of Article I of the California*  
11 *Constitution. Pursuant to that constitutional provision, the*  
12 *Legislature makes the following findings to demonstrate the interest*  
13 *protected by this limitation and the need for protecting that*  
14 *interest:*

15 *In order to allow the Research Advisory Panel to conduct its*  
16 *review and approval of research studies in a quick manner, protect*  
17 *the privacy of subjects, and maintain the confidentiality of*  
18 *proprietary data, trade secrets, potential intellectual property, or*  
19 *other information, the public disclosure of which is prohibited by*  
20 *state or federal laws, or both, and regulations, it is necessary to*  
21 *provide the advisory panel with this limited exemption from the*  
22 *Bagley-Keene Open Meeting Act.*