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**F I L E D**  
Clerk of the Superior Court

DEC 28 2022

By: A. Cabrales

**THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF SAN DIEGO**

**IN RE SMOKING IN AND AROUND  
COURTHOUSE FACILITIES**

**GENERAL ORDER OF THE  
PRESIDING DEPARTMENT**

**ORDER NO. 010123-19**

**THIS COURT FINDS AS FOLLOWS:**

This order prohibits the smoking of any product or substance within any of the Superior Court of California, County of San Diego ("San Diego Superior Court"), courthouse facilities and is necessary to protect and promote the health, safety, and security of all occupants of San Diego Superior Court courthouse facilities.

IT IS HEREBY ORDERED that no public employee or member of the public is permitted to smoke any substance, including but not limited to tobacco, tobacco products, cannabis, and cannabis products, within any of the San Diego Superior Court courthouse facilities, including but not limited to courtrooms, lobby areas, hallways, stairs, elevators and escalators, and business offices. This smoking ban also applies to outdoor areas that are within 20 feet of an exit, entrance, or operable window of courthouse facilities. The smoking of cannabis and cannabis products is prohibited in all public places under Health and Safety Code section 11362.3(a).

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1 The term "cannabis," as defined in Health and Safety Code section 11018, means "all parts  
2 of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from  
3 any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of  
4 the plant, its seeds or resin." The term "cannabis products," as defined in Health and Safety Code  
5 section 11018.1, means "cannabis that has undergone a process whereby the plant material has been  
6 transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or  
7 topical product containing marijuana or concentrated cannabis and other ingredients."

8 The term "smoke," as defined in Health and Safety Code section 11362.3, means "to inhale,  
9 exhale, burn, or carry any lighted or heated device or pipe, or any other lighted or heated cannabis  
10 or cannabis product intended for inhalation, whether natural or synthetic, in any manner or in any  
11 form," including "the use of an electronic smoking device that creates an aerosol or vapor, in any  
12 manner or in any form, or the use of any oral smoking device for the purpose of circumventing the  
13 prohibition of smoking in a place." This includes electronic cigarettes.


14 The San Diego County Sheriff's Department, as the designated Court Security Officer, is  
15 authorized to enforce this order.

16 This order shall become effective on January 1, 2023, and expire on December 31, 2023,  
17 unless otherwise ordered by this court.

18 Service of this order shall be made on the San Diego County Sheriff's Department.

19 IT IS SO ORDERED.

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21 DATED: December 28, 2022

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23 **HONORABLE MICHAEL T. SMYTH**  
24 **PRESIDING JUDGE**  
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