

House Resolution 13

By: Representatives Kendrick of the 93rd, Drenner of the 85th, Scott of the 76th, Williams of the 168th, Hutchinson of the 107th, and others

A RESOLUTION

1 Urging the United States Congress to enact legislation removing cannabis from the federal
2 Controlled Substances Act, exempting certain activities related to marijuana, facilitating the
3 full spectrum of private banking services for cannabis related business, and encouraging
4 scientific research as related to cannabis products; and for other purposes.

5 WHEREAS, at least thirty-six states, four United States territories, and the District of
6 Columbia have authorized the use of medical cannabis; at least 22 states, the United States
7 Virgin Islands, and the District of Columbia have decriminalized cannabis; and at least
8 fifteen states, the Northern Mariana Islands, the District of Columbia, and three Native
9 American tribes have legalized adult use of cannabis; and

10 WHEREAS, in the enactment of legislation allowing for the use of cannabis for medicinal
11 or recreational purposes, states have provided for the regulation and taxation of the use of
12 cannabis; and

13 WHEREAS, cannabis remains a Schedule I drug under the federal Controlled Substances
14 Act, classifying it among the most dangerous drugs in the Act; and

15 WHEREAS, alcohol and tobacco remain outside the purview of the federal Controlled
16 Substances Act and have significant negative impacts on individual and public health,
17 including physical injuries, psychological and social harm, and the onset of chronic, often
18 fatal illnesses related to regular use; and

19 WHEREAS, continued scheduling of cannabis under the federal Controlled Substances Act
20 hinders the ability of medical cannabis dispensaries and other cannabis related businesses to
21 operate without the prospect of federal seizures, forfeitures, arrests, and other enforcement
22 and prosecutorial actions; and

23 WHEREAS, such hindrance creates a problem for medical cannabis dispensaries and
24 cannabis related businesses that are operating legally pursuant to state law and presents
25 difficulties for consumers or businesses that are authorized to grow, sell, or purchase
26 cannabis products under state law; and

27 WHEREAS, many financial institutions have been unable to do business with cannabis
28 related businesses because of existing federal law and policies; and

29 WHEREAS, many cannabis related businesses rely upon cash transactions, which increases
30 the risk of various crimes and prohibits the collection of taxes by individual states and
31 territories; and

32 WHEREAS, in the interest of promoting efficient business practices, financial institutions
33 should be confident in serving businesses operating legally under state law so long as safety
34 and soundness requirements are met; and

35 WHEREAS, legislation has been introduced in Congress to provide for specific regulatory
36 protection and immunity from federal prosecution for depository institutions providing
37 financial services to cannabis related businesses acting under applicable state law; and

38 WHEREAS, maintaining business relationships with financial institutions will allow for
39 greater access to loans and debit and credit transactions for businesses serving the cannabis
40 industry, their employees, and for consumers purchasing cannabis legally under state law.

41 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
42 the members of this body urge Congress to enact legislation:

- 43 (1) Removing cannabis from the federal Controlled Substances Act;
- 44 (2) Exempting any production, distribution, possession, or use of marijuana carried out
45 in compliance with state laws;
- 46 (3) Providing immunity from federal prosecution and regulatory protections for financial
47 institutions legally providing services to cannabis related businesses, licensees, and
48 consumers pursuant to applicable state law; and
- 49 (4) Encouraging scientific research into the efficacy, doses, routes of administration, and
50 side effects of commonly used and commercially available cannabis products in the
51 Unites States.

52 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
53 and directed to make appropriate copies of this resolution available for distribution to the
54 President of the United States, the U.S. Senate Majority Leader, the U.S. Senate Minority
55 Leader, the U.S. Speaker of the House, the U.S. House Majority Leader, and the U.S. House
56 Minority Leader.