

Amendment No. 484

Assembly Amendment to Assembly Joint Resolution No. 8	(BDR R-615)
Proposed by: Assembly Committee on Legislative Operations and Elections	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: Yes Digest: No	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



ASSEMBLY JOINT RESOLUTION NO. 8—ASSEMBLYMEN D’SILVA, ~~[AND]~~ BRITNEY MILLER; ANDERSON, BROWN-MAY, CARTER, COHEN, CONSIDINE, DeLONG, DICKMAN, GALLANT, GONZÁLEZ, GORELOW, LA RUE HATCH, C.H. MILLER, MONROE-MORENO, MOSCA, NEWBY, NGUYEN, O’NEILL, ORENTLICHER, PETERS, SUMMERS-ARMSTRONG, TAYLOR, THOMAS, TORRES, WATTS AND YEAGER

MARCH 27, 2023

JOINT SPONSORS: SENATORS DONATE, FLORES, HAMMOND, D. HARRIS, NEAL, NGUYEN, OHRENSCHALL, SPEARMAN AND STONE

Referred to Committee on Legislative Operations and Elections

SUMMARY—Urges the Congress of the United States to deschedule marijuana as a schedule I controlled substance. (BDR R-615)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Urging the Congress of the United States to deschedule marijuana as a schedule I controlled substance.

- 1 WHEREAS, Under Nevada law, cannabis and marijuana share an identical
- 2 meaning; and
- 3 WHEREAS, Under the Controlled Substance Act, drugs, substances and certain
- 4 chemicals used to make drugs are classified into five distinct schedules depending
- 5 upon the acceptable medical use of the drug and the potential of the drug for abuse;
- 6 and
- 7 WHEREAS, Schedule I drugs, substances or chemicals are defined as drugs with
- 8 no currently accepted medical use and a high potential for abuse; and
- 9 WHEREAS, Cannabis is classified as a schedule I drug, alongside heroin,
- 10 although marijuana has many well documented medical uses; and
- 11 WHEREAS, According to the National Academy of Medicine, modern medical
- 12 research has confirmed the beneficial uses for marijuana in treating or alleviating
- 13 the pain, nausea and other symptoms associated with a variety of debilitating
- 14 medical conditions, including cancer, multiple sclerosis and HIV/AIDS; and
- 15 WHEREAS, Marijuana has many currently accepted medical uses in the United
- 16 States, having been recommended by thousands of licensed physicians to at least
- 17 350,000 patients in states with medical marijuana laws; and
- 18 WHEREAS, Marijuana’s medical utility has been recognized by a wide range of
- 19 medical and public health organizations, including, without limitation, the
- 20 American Academy of HIV Medicine, the American College of Physicians, the

1 American Nurses Association, the American Public Health Association and the
2 Leukemia and Lymphoma Society; and

3 WHEREAS, In 1998 and 2000, Nevada voters approved the *Nevada Medical*
4 *Marijuana Act*, a referendum initiative intended to amend the Nevada Constitution
5 to legalize marijuana for medical use in Nevada, which passed in two consecutive
6 elections, as is required for a constitutional amendment; and

7 WHEREAS, The medical value of cannabis was enshrined into Nevada's
8 constitution through the addition of Article 4, Section 38 of the Nevada
9 Constitution, which requires the Nevada Legislature to provide by law for the use
10 by a patient, upon the advice of his physician, of a plant of the genus Cannabis for
11 the treatment or alleviation of cancer, glaucoma, acquired immunodeficiency
12 syndrome, severe, persistent nausea of cachexia resulting from these or other
13 chronic or debilitating medical conditions, epilepsy and other disorders
14 characterized by seizure, multiple sclerosis and other disorders characterized by
15 muscular spasticity, or other conditions approved pursuant to law for such
16 treatment; and

17 WHEREAS, In 2016, Nevada voters voted upon and approved the Initiative to
18 Regulate and Tax Marijuana, which legalized possession of marijuana for
19 recreational purposes; and

20 WHEREAS, A district court in Nevada has already held that cannabis is no
21 longer a schedule I controlled substance in Nevada; and

22 WHEREAS, There are approximately 5.4 million state-legal patients in the
23 United States and its territories who are unable to receive medical insurance
24 prescription health coverage for medical marijuana, primarily because of
25 marijuana's federal designation as a schedule I controlled substance; and

26 WHEREAS, In its State of the States 2021 report, the advocacy group Safe
27 Access Now estimated that medical marijuana customers at state dispensaries were
28 likely to pay as much as \$350 before they could access and pay for the cost of
29 marijuana; and

30 WHEREAS, Marijuana is not an eligible health savings account expense because
31 of its current federal designation as a schedule I controlled substance; and

32 WHEREAS, Because of marijuana's current federal designation as a schedule I
33 controlled substance, tracing money back to a state marijuana operation could result
34 in criminal prosecution for aiding and abetting a federal crime or money
35 laundering, and most financial institutions are therefore unwilling to accept the
36 legal risks associated with offering financial services to the medical marijuana
37 industry, resulting in medical marijuana distributors having limited access to
38 traditional banking and financial services and forcing them to operate using only
39 cash; and

40 WHEREAS, Operating a business with large amounts of cash on hand is a public
41 safety threat, causing such a business to become a target for crime, thereby putting
42 the safety of staff and patients at risk; and

43 WHEREAS, Marijuana does not belong in schedule I of the Controlled
44 Substances Act, a classification intended for exceptionally dangerous substances
45 with high potential for abuse and no currently accepted medical use; now, therefore,
46 be it

47 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY,
48 That the members of the 82nd Session of the Nevada Legislature hereby urge
49 Congress to support legislation to remove cannabis from schedule I of the
50 Controlled Substances Act; and be it further

51 RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy
52 of this resolution to the Vice President of the United States as the presiding officer
53 of the United States Senate, the Speaker of the United States House of

- 1 Representatives and each member of the Nevada Congressional Delegation; and be
- 2 it further
- 3 RESOLVED, That this resolution becomes effective upon passage.