

The Respect State Marijuana Laws Act was introduced this week in U.S. Congress

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On February 7, 2017, Congressman Dana Rohrabacher (R-CA) introduced legislation entitled "The Respect State Marijuana Laws Act" (the Bill) for the third time in the U.S. House of Representatives to protect people from being prosecuted under the Controlled Substances Act as long as they are following their particular state's laws regarding marijuana. Rep. Rohrabacher had introduced similar bills in 2013 and 2015. This time around, the Bill, H. R. 975, described as "to amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marijuana, and for other purposes", was co-sponsored by a bi-partisan group of 12 additional House Representatives.

Congressman Rohrbacher is a big proponent of legalized medical marijuana. Last year, he publicly claimed to use medical marijuana for arthritis pain.

In addition to H.R. 975, Congressman Rohrbacher is the namesake of the "'Rohrabacher-Farr Amendment" to "The Consolidated Appropriations Act" (the Act), a yearly spending bill passed by Congress. The amendment, also known as Section 542, provides that none of the funds made available in The Consolidated Appropriations Act to the Department of Justice may be used, with respect to specifically identified jurisdictions that have legalized medical marijuana, to prevent any of these states from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana. Pennsylvania is not one of the states listed under the amendment as Act 16 came into effect after the Act was approved. As the Act is presented every year before Congress, we will be watching to see if the states that have since passed medical marijuana laws are listed in the upcoming passage of the Act.

For additional information contact a member of the Medical Marijuana Practice Group