

Could 2017 Really Be the Year that Marijuana Becomes Decriminalized?

Articles March 3, 2017

Additional legislation is being introduced in U.S. Congress attempting to decriminalize marijuana. The latest, HR 1227 entitled “**Ending Federal Marijuana Prohibition Act of 2017**” was introduced on February 27th. The bill was introduced by a bi-partisan group of U.S. Representatives to de-schedule marijuana from the Controlled Substances Act (“**CSA**”) (21 U.S.C. 812(c)). The bill is spearheaded by Congressman Tom Garrett (R-VA), and is co-sponsored by Congresswoman Tulsi Gabbard (D-HI), Congressman Scott Taylor (R-VA) and Congressman Jared Polis (D-CO).

If successful, this act would allow states to self-regulate their own marijuana programs without federal threat of criminality. The bill intends to amend the CSA to not apply to marijuana and to permit states to pass laws prohibiting the shipments of marijuana to and from their own jurisdictions.

The bill is indistinguishable from the “Ending Federal Marijuana Prohibition Act of 2015” bill which was introduced by Senator Bernie Sanders (I-VA) in 2015. The Sanders bill failed to gain traction in Congress. Is it possible that now, with more than half of the states in the U.S. having passed some form of legalized marijuana laws, 3[i] Congressional bills introduced in the past 5 weeks and the formation of a Congressional Cannabis Caucus, there may be a shift in positions with respect to marijuana in D.C.? Is it a long shot with a primarily Republican government, Trump in the white House, and Sessions as Attorney General?

For more information contact Medical Marijuana Practice Group for updates on Pennsylvania and Federal legislation affecting the Pennsylvania medical marijuana industry.

[i] H.R. 331, H.R. 975, HR 1227