

116TH CONGRESS
1ST SESSION

H. R. 1588

To limit the application of Federal laws to the distribution and consumption of marihuana, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2019

Ms. GABBARD (for herself, Mr. YOUNG, Mr. BLUMENAUER, Mr. SOTO, Ms. NORTON, Ms. SCHAKOWSKY, Mr. COHEN, Mr. CARBAJAL, Mr. GAETZ, Mr. AMASH, Ms. PINGREE, Ms. LEE of California, Mr. POCAN, Mr. SWALWELL of California, Mr. KHANNA, Mr. GALLEGO, Mr. CORREA, Mrs. LURIA, Mr. SMITH of Washington, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To limit the application of Federal laws to the distribution and consumption of marihuana, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ending Federal Mari-
5 juana Prohibition Act of 2019”.

1 **SEC. 2. APPLICATION OF THE CONTROLLED SUBSTANCES**
2 **ACT TO MARIHUANA.**

3 (a) IN GENERAL.—Part A of the Controlled Sub-
4 stances Act (21 U.S.C. 801 et seq.) is amended by adding
5 at the end the following:

6 **“SEC. 103. APPLICATION OF THIS ACT TO MARIHUANA.**

7 “(a) PROHIBITION ON CERTAIN SHIPPING OR
8 TRANSPORTATION.—This Act shall not apply to mari-
9 huana, except that it shall be unlawful only to ship or
10 transport, in any manner or by any means whatsoever,
11 marihuana, from one State, territory, or district of the
12 United States, or place noncontiguous to but subject to
13 the jurisdiction thereof, into any other State, territory, or
14 district of the United States, or place noncontiguous to
15 but subject to the jurisdiction thereof, or from any foreign
16 country into any State, territory, or district of the United
17 States, or place noncontiguous to but subject to the juris-
18 diction thereof, when such marihuana is intended, by any
19 person interested therein, to be received, possessed, sold,
20 or in any manner used, either in the original package or
21 otherwise, in violation of any law of such State, territory,
22 or district of the United States, or place noncontiguous
23 to but subject to the jurisdiction thereof.

24 “(b) PENALTY.—Whoever knowingly violates sub-
25 section (a) shall be fined under title 18, United States
26 Code, imprisoned not more than 1 year, or both.”.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 the Comprehensive Drug Abuse Prevention and Control
3 Act of 1970 (Public Law 91–513; 84 Stat. 1236) is
4 amended by striking the item relating to section 103 and
5 inserting the following:

“Sec. 103. Application of this Act to marihuana.”.

6 **SEC. 3. DEREGULATION OF MARIHUANA.**

7 (a) REMOVED FROM SCHEDULE OF CONTROLLED
8 SUBSTANCES.—Subsection (c) of Schedule I of section
9 202(c) of the Controlled Substances Act (21 U.S.C.
10 812(c)) is amended—

11 (1) by striking “marihuana”; and

12 (2) by striking “tetrahydrocannabinols”.

13 (b) REMOVAL OF PROHIBITION ON IMPORT AND EX-
14 PORT.—Section 1010(b) of the Controlled Substances Im-
15 port and Export Act (21 U.S.C. 960) is amended—

16 (1) in paragraph (1)—

17 (A) in subparagraph (F), by inserting “or”
18 after the semicolon;

19 (B) by striking subparagraph (G); and

20 (C) by redesignating subparagraph (H) as
21 subparagraph (G);

22 (2) in paragraph (2)—

23 (A) in subparagraph (F), by inserting “or”
24 after the semicolon;

25 (B) by striking subparagraph (G); and

1 (C) by redesignating subparagraph (H) as
2 subparagraph (G);

3 (3) in paragraph (3), by striking “paragraphs
4 (1), (2), and (4)” and inserting “paragraphs (1) and
5 (2)”;

6 (4) by striking paragraph (4); and

7 (5) by redesignating paragraphs (5), (6), and
8 (7) as paragraphs (4), (5), and (6), respectively.

9 **SEC. 4. CONFORMING AMENDMENTS TO CONTROLLED SUB-**
10 **STANCES ACT.**

11 The Controlled Substances Act (21 U.S.C. 801 et
12 seq.) is amended—

13 (1) in section 102(44) (21 U.S.C. 802(44)), by
14 striking “marihuana,”;

15 (2) in section 401(b) (21 U.S.C. 841(b))—

16 (A) in paragraph (1)—

17 (i) in subparagraph (A)—

18 (I) in clause (vi), by inserting
19 “or” after the semicolon;

20 (II) by striking (vii); and

21 (III) by redesignating clause
22 (viii) as clause (vii);

23 (ii) in subparagraph (B)—

24 (I) by striking clause (vii); and

- 1 (II) by redesignating clause (viii)
2 as clause (vii);
3 (iii) in subparagraph (C), by striking
4 “subparagraphs (A), (B), and (D)” and in-
5 serting “subparagraphs (A) and (B)”;
6 (iv) by striking subparagraph (D);
7 (v) by redesignating subparagraph (E)
8 as subparagraph (D); and
9 (vi) in subparagraph (D)(i), as redesi-
10 gnated, by striking “subparagraphs (C)
11 and (D)” and inserting “subparagraph
12 (C)”;
13 (B) by striking paragraph (4); and
14 (C) by redesignating paragraphs (5), (6),
15 and (7) as paragraphs (4), (5), and (6), respec-
16 tively;
17 (3) in section 402(c)(2)(B) (21 U.S.C.
18 842(c)(2)(B)), by striking “, marihuana,”;
19 (4) in section 403(d)(1) (21 U.S.C. 843(d)(1)),
20 by striking “, marihuana,”;
21 (5) in section 418(a) (21 U.S.C. 859(a)), by
22 striking the last sentence;
23 (6) in section 419(a) (21 U.S.C. 860(a)), by
24 striking the last sentence;
25 (7) in section 422(d) (21 U.S.C. 863(d))—

1 (A) in the matter preceding paragraph (1),
2 by striking “marijuana,”; and

3 (B) in paragraph (5), by striking “, such
4 as a marihuana cigarette,”; and

5 (8) in section 516(d) (21 U.S.C. 886(d)), by
6 striking “section 401(b)(6)” each place the term ap-
7 pears and inserting “section 401(b)(5)”.

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