Suspend the Rules and Pass the Bill, H.R. 1595, with an Amendment
(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
1ST Session
H. R. 1595

To create protections for depository institutions that provide financial services to cannabis-related legitimate businesses and service providers for such businesses, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES
MARCH 7, 2019

Mr. PERLMUTTER (for himself, Mr. HECK, Mr. STIVERS, Mr. DAVIDSON of Ohio, Mr. AGUILAR, Ms. BARRAGÁN, Mr. BEYER, Mr. BLUMENTHAL, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mr. CARRAJAL, Mr. CÁRDENAS, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CICILLINE, Mr. CISNEROS, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Mr. COOPER, Mr. CORREA, Mr. COURTNEY, Mr. COX of California, Mr. CRIST, Mr. CROW, Mrs. DAVIS of California, Mr. DFEAZIO, Ms. DEGETTE, Ms. DELAURIE, Ms. DELBENE, Mr. DESAULNIER, Ms. ESCH, Mr. ESPAILLAT, Mr. FOSTER, Ms. FUDGE, Ms. GABBARD, Mr. GALLEGOS, Mr. GARCÍA of Illinois, Mr. GÓMEZ, Mr. GONZALEZ of Texas, Mr. HASTINGS, Ms. HILL of California, Mr. HORSFORD, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. KHANNA, Mr. KILMER, Mrs. KIRKPATRICK, Mr. KRISHNAMOORTHI, Mr. LAWSON of Florida, Ms. LEE of California, Mrs. LEE of Nevada, Mr. LEVIN of Michigan, Mr. LEVIN of California, Mr. TED LIEU of California, Mr. LUJÁN, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MEeks, Mr. NEGUSE, Ms. NORTON, Mr. PANETTA, Mr. PAPPAS, Ms. PINGREE, Ms. PORTER, Mr. QUIGLEY, Mr. RASKIN, Mr. RUSH, Mr. RYAN, Mr. ROUDA, Ms. SCHAKOWSKY, Mr. SCHMIDT, Mr. SCHUMER, Mr. SHERMAN, Mr. SHORES, Mr. SMITH of Washington, Mr. SOTO, Ms. SPEIER, Mr. SWALWELL of California, Ms. TITUS, Mrs. TORRES of California, Mr. VARGAS, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILD, Mr. YARMUTH, Mr. RODNEY DAVIS of Illinois, Mr. HUNTER, Mr. JOYCE of Ohio, Mr. NEWHOUSE, Mr. YOUNG, Mr. HIMES, Mr. LOEBSCHEK, Ms. LOFgren, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. TAKANO, Mr. THOMPSON of California, Mr. GAETZ, Mr. RIGGLEMAN, Mr.
DAVID SCOTT of Georgia, Ms. WATERS, and Ms. SCHRIER) introduced
the following bill; which was referred to the Committee on Financial Serv-
ices, and in addition to the Committee on the Judiciary, for a period to
be subsequently determined by the Speaker, in each case for consider-
ation of such provisions as fall within the jurisdiction of the committee
c concerned

A BILL

To create protections for depository institutions that provide
financial services to cannabis-related legitimate busi-
nesses and service providers for such businesses, 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; PURPOSE.
4 (a) SHORT TITLE.—This Act may be cited as the
5 "Secure And Fair Enforcement Banking Act of 2019" or
6 the "SAFE Banking Act of 2019".
7 (b) PURPOSE.—The purpose of this Act is to increase
8 public safety by ensuring access to financial services to
9 cannabis-related legitimate businesses and service pro-
10 vendors and reducing the amount of cash at such busi-
11 nesses.
12 SEC. 2. SAFE HARBOR FOR DEPOSITORY INSTITUTIONS.
13 (a) IN GENERAL.—A Federal banking regulator may
14 not—
15 (1) terminate or limit the deposit insur-
16 ance or share insurance of a depository institu-
tion under the Federal Deposit Insurance Act (12 U.S.C. 1811 et seq.), the Federal Credit Union Act (12 U.S.C. 1751 et seq.), or take any other adverse action against a depository institution under section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) solely because the depository institution provides or has provided financial services to a cannabis-related legitimate business or service provider;

(2) prohibit, penalize, or otherwise discourage a depository institution from providing financial services to a cannabis-related legitimate business or service provider or to a State, political subdivision of a State, or Indian Tribe that exercises jurisdiction over cannabis-related legitimate businesses;

(3) recommend, incentivize, or encourage a depository institution not to offer financial services to an account holder, or to downgrade or cancel the financial services offered to an account holder solely because—

(A) the account holder is a cannabis-related legitimate business or service provider, or is an employee, owner, or oper-
ator of a cannabis-related legitimate business or service provider;

(B) the account holder later becomes an employee, owner, or operator of a cannabis-related legitimate business or service provider; or

(C) the depository institution was not aware that the account holder is an employee, owner, or operator of a cannabis-related legitimate business or service provider;

(4) take any adverse or corrective supervisory action on a loan made to—

(A) a cannabis-related legitimate business or service provider, solely because the business is a cannabis-related legitimate business or service provider;

(B) an employee, owner, or operator of a cannabis-related legitimate business or service provider, solely because the employee, owner, or operator is employed by, owns, or operates a cannabis-related legitimate business or service provider, as applicable; or
(C) an owner or operator of real estate or equipment that is leased to a cannabis-related legitimate business or service provider, solely because the owner or operator of the real estate or equipment leased the equipment or real estate to a cannabis-related legitimate business or service provider, as applicable; or

(5) prohibit or penalize a depository institution (or entity performing a financial service for or in association with a depository institution) for, or otherwise discourage a depository institution (or entity performing a financial service for or in association with a depository institution) from, engaging in a financial service for a cannabis-related legitimate business or service provider.

(b) SAFE HARBOR APPLICABLE TO DE NOVO INSTITUTIONS.—Subsection (a) shall apply to an institution applying for a depository institution charter to the same extent as such subsection applies to a depository institution.

SEC. 3. PROTECTIONS FOR ANCILLARY BUSINESSES.

For the purposes of sections 1956 and 1957 of title 18, United States Code, and all other provisions of Federal law, the proceeds from a transaction involving activi-
ties of a cannabis-related legitimate business or service provider shall not be considered proceeds from an unlawful activity solely because—

(1) the transaction involves proceeds from a cannabis-related legitimate business or service provider; or

(2) the transaction involves proceeds from—

(A) cannabis-related activities described in section 14(4)(B) conducted by a cannabis-related legitimate business; or

(B) activities described in section 14(13)(A) conducted by a service provider.

SEC. 4. PROTECTIONS UNDER FEDERAL LAW.

(a) IN GENERAL.—With respect to providing a financial service to a cannabis-related legitimate business or service provider within a State, political subdivision of a State, or Indian country that allows the cultivation, production, manufacture, sale, transportation, display, dispensing, distribution, or purchase of cannabis pursuant to a law or regulation of such State, political subdivision, or Indian Tribe that has jurisdiction over the Indian country, as applicable, a depository institution, entity performing a financial service for or in association with a depository institution, or insurer that provides a financial service to a cannabis-related legitimate business or service provider,
and the officers, directors, and employees of that depository institution, entity, or insurer may not be held liable pursuant to any Federal law or regulation—

(1) solely for providing such a financial service; or

(2) for further investing any income derived from such a financial service.

(b) PROTECTIONS FOR FEDERAL RESERVE BANKS AND FEDERAL HOME LOAN BANKS.—With respect to providing a service to a depository institution that provides a financial service to a cannabis-related legitimate business or service provider (where such financial service is provided within a State, political subdivision of a State, or Indian country that allows the cultivation, production, manufacture, sale, transportation, display, dispensing, distribution, or purchase of cannabis pursuant to a law or regulation of such State, political subdivision, or Indian Tribe that has jurisdiction over the Indian country, as applicable), a Federal reserve bank or Federal Home Loan Bank, and the officers, directors, and employees of the Federal reserve bank or Federal Home Loan Bank, may not be held liable pursuant to any Federal law or regulation—

(1) solely for providing such a service; or
(2) for further investing any income derived
from such a service.

(c) Protections for Insurers.—With respect to
engaging in the business of insurance within a State, polit-
ical subdivision of a State, or Indian country that allows
the cultivation, production, manufacture, sale, transpor-
tation, display, dispensing, distribution, or purchase of
cannabis pursuant to a law or regulation of such State,
political subdivision, or Indian Tribe that has jurisdiction
over the Indian country, as applicable, an insurer that en-
gages in the business of insurance with a cannabis-related
legitimate business or service provider or who otherwise
engages with a person in a transaction permissible under
State law related to cannabis, and the officers, directors,
and employees of that insurer may not be held liable pur-
suant to any Federal law or regulation—

(1) solely for engaging in the business of insur-
ance; or

(2) for further investing any income derived
from the business of insurance.

(d) Forfeiture.—

(1) Depository Institutions.—A depository
institution that has a legal interest in the collateral
for a loan or another financial service provided to an
owner, employee, or operator of a cannabis-related
legitimate business or service provider, or to an
owner or operator of real estate or equipment that
is leased or sold to a cannabis-related legitimate
business or service provider, shall not be subject to
criminal, civil, or administrative forfeiture of that
legal interest pursuant to any Federal law for pro-
viding such loan or other financial service.

(2) Federal Reserve Banks and Federal
Home Loan Banks.—A Federal reserve bank or
Federal Home Loan Bank that has a legal interest
in the collateral for a loan or another financial serv-
ice provided to a depository institution that provides
a financial service to a cannabis-related legitimate
business or service provider, or to an owner or oper-
ator of real estate or equipment that is leased or
sold to a cannabis-related legitimate business or
service provider, shall not be subject to criminal,
civil, or administrative forfeiture of that legal inter-
est pursuant to any Federal law for providing such
loan or other financial service.

SEC. 5. RULES OF CONSTRUCTION.

(a) No Requirement to Provide Financial
Services.—Nothing in this Act shall require a depository
institution, entity performing a financial service for or in
association with a depository institution, or insurer to pro-
vide financial services to a cannabis-related legitimate business, service provider, or any other business.

(b) General Examination, Supervisory, and Enforcement Authority.—Nothing in this Act may be construed in any way as limiting or otherwise restricting the general examination, supervisory, and enforcement authority of the Federal banking regulators, provided that the basis for any supervisory or enforcement action is not the provision of financial services to a cannabis-related legitimate business or service provider.

SEC. 6. REQUIREMENTS FOR FILING SUSPICIOUS ACTIVITY REPORTS.

Section 5318(g) of title 31, United States Code, is amended by adding at the end the following:

“(5) Requirements for cannabis-related legitimate businesses.—

“(A) In general.—With respect to a financial institution or any director, officer, employee, or agent of a financial institution that reports a suspicious transaction pursuant to this subsection, if the reason for the report relates to a cannabis-related legitimate business or service provider, the report shall comply with appropriate guidance issued by the Financial Crimes Enforcement Network. The Secretary
shall ensure that the guidance is consistent with the purpose and intent of the SAFE Banking Act of 2019 and does not significantly inhibit the provision of financial services to a cannabis-related legitimate business or service provider in a State, political subdivision of a State, or Indian country that has allowed the cultivation, production, manufacture, transportation, display, dispensing, distribution, sale, or purchase of cannabis pursuant to law or regulation of such State, political subdivision, or Indian Tribe that has jurisdiction over the Indian country.

“(B) DEFINITIONS.—For purposes of this paragraph:

“(i) CANNABIS.—The term ‘cannabis’ has the meaning given the term ‘marihuana’ in section 102 of the Controlled Substances Act (21 U.S.C. 802).

“(ii) CANNABIS-RELATED LEGITIMATE BUSINESS.—The term ‘cannabis-related legitimate business’ has the meaning given that term in section 14 of the SAFE Banking Act of 2019.
“(iii) INDIAN COUNTRY.—The term ‘Indian country’ has the meaning given that term in section 1151 of title 18.

“(iv) INDIAN TRIBE.—The term ‘Indian Tribe’ has the meaning given that term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a).

“(v) FINANCIAL SERVICE.—The term ‘financial service’ has the meaning given that term in section 14 of the SAFE Banking Act of 2019.

“(vi) SERVICE PROVIDER.—The term ‘service provider’ has the meaning given that term in section 14 of the SAFE Banking Act of 2019.

“(vii) STATE.—The term ‘State’ means each of the several States, the District of Columbia, Puerto Rico, and any territory or possession of the United States.”.

SEC. 7. GUIDANCE AND EXAMINATION PROCEDURES.

Not later than 180 days after the date of enactment of this Act, the Financial Institutions Examination Council shall develop uniform guidance and examination proce-
dures for depository institutions that provide financial
services to cannabis-related legitimate businesses and
service providers.

SEC. 8. ANNUAL DIVERSITY AND INCLUSION REPORT.

The Federal banking regulators shall issue an annual
report to Congress containing—

(1) information and data on the availability of
access to financial services for minority-owned and
women-owned cannabis-related legitimate businesses;
and

(2) any regulatory or legislative recommendations
for expanding access to financial services for
minority-owned and women-owned cannabis-related
legitimate businesses.

SEC. 9. GAO STUDY ON DIVERSITY AND INCLUSION.

(a) STUDY.—The Comptroller General of the United
States shall carry out a study on the barriers to market-
place entry, including in the licensing process, and the ac-
access to financial services for potential and existing minor-
ity-owned and women-owned cannabis-related legitimate
businesses.

(b) REPORT.—The Comptroller General shall issue a
report to the Congress—
(1) containing all findings and determinations made in carrying out the study required under sub-
section (a); and

(2) containing any regulatory or legislative re-
ommendations for removing barriers to marketplace entry, including in the licensing process, and ex-
panding access to financial services for potential and existing minority-owned and women-owned cannabis-
related legitimate businesses.

SEC. 10. GAO STUDY ON EFFECTIVENESS OF CERTAIN RE- PORTS ON FINDING CERTAIN PERSONS.

Not later than 2 years after the date of the enact-
ment of this Act, the Comptroller General of the United States shall carry out a study on the effectiveness of re-
ports on suspicious transactions filed pursuant to section 5318(g) of title 31, United States Code, at finding individ-
uals or organizations suspected or known to be engaged with transnational criminal organizations and whether any such engagement exists in a State, political subdivision, or Indian Tribe that has jurisdiction over Indian country that allows the cultivation, production, manufacture, sale, transportation, display, dispensing, distribution, or pur-
chase of cannabis. The study shall examine reports on sus-
picious transactions as follows:
(1) During the period of 2014 until the date of
the enactment of this Act, reports relating to mari-
juana-related businesses.

(2) During the 1-year period after date of the
enactment of this Act, reports relating to cannabis-
related legitimate businesses.

SEC. 11. BANKING SERVICES FOR HEMP BUSINESSES.

(a) FINDINGS.—The Congress finds that—

(1) the Agriculture Improvement Act of 2018
(Public Law 115–334) legalized hemp by removing
it from the definition of “marihuana” under the
Controlled Substances Act;

(2) despite the legalization of hemp, some hemp
businesses (including producers, manufacturers, and
retailers) continue to have difficulty gaining access
to banking products and services; and

(3) businesses involved in the sale of hemp-de-
derived cannabidiol (“CBD”) products are particularly
affected, due to confusion about their legal status.

(b) FEDERAL BANKING REGULATOR HEMP BANKING
GUIDANCE.—Not later than the end of the 90-day period
beginning on the date of enactment of this Act, the Fed-
eral banking regulators shall jointly issue guidance to fi-
nancial institutions—
(1) confirming the legality of hemp, hemp-derived CBD products, and other hemp-derived cannabinoid products, and the legality of engaging in financial services with businesses selling hemp, hemp-derived CBD products, and other hemp-derived cannabinoid products, after the enactment of the Agriculture Improvement Act of 2018; and

(2) to provide recommended best practices for financial institutions to follow when providing financial services and merchant processing services to businesses involved in the sale of hemp, hemp-derived CBD products, and other hemp-derived cannabinoid products.

(e) FINANCIAL INSTITUTION DEFINED.—In this section, the term “financial institution” means any person providing financial services.

SEC. 12. APPLICATION OF SAFE HARBORS TO HEMP AND CBD PRODUCTS.

(a) IN GENERAL.—Except as provided under subsection (b), the provisions of this Act (other than sections 6 and 10) shall apply to hemp (including hemp-derived cannabidiol and other hemp-derived cannabinoid products) in the same manner as such provisions apply to cannabis.

(b) RULE OF APPLICATION.—In applying the provisions of this Act described under subsection (a) to hemp,
the definition of “cannabis-related legitimate business” shall be treated as excluding any requirement to engage in activity pursuant to the law of a State or political subdivision thereof.

(c) HEMP DEFINED.—In this section, the term “hemp” has the meaning given that term under section 297A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1639o).

SEC. 13. REQUIREMENTS FOR DEPOSIT ACCOUNT TERMINATION REQUESTS AND ORDERS.

(a) Termination Requests or Orders Must Be Valid.—

(1) IN GENERAL.—An appropriate Federal banking agency may not formally or informally request or order a depository institution to terminate a specific customer account or group of customer accounts or to otherwise restrict or discourage a depository institution from entering into or maintaining a banking relationship with a specific customer or group of customers unless—

(A) the agency has a valid reason for such request or order; and

(B) such reason is not based solely on reputation risk.
(2) TREATMENT OF NATIONAL SECURITY THREATS.—If an appropriate Federal banking agency believes a specific customer or group of customers is, or is acting as a conduit for, an entity which—

(A) poses a threat to national security;

(B) is involved in terrorist financing;

(C) is an agency of the Government of Iran, North Korea, Syria, or any country listed from time to time on the State Sponsors of Terrorism list;

(D) is located in, or is subject to the jurisdiction of, any country specified in subparagraph (C); or

(E) does business with any entity described in subparagraph (C) or (D), unless the appropriate Federal banking agency determines that the customer or group of customers has used due diligence to avoid doing business with any entity described in subparagraph (C) or (D), such belief shall satisfy the requirement under paragraph (1).

(b) NOTICE REQUIREMENT.—

(1) IN GENERAL.—If an appropriate Federal banking agency formally or informally requests or orders a depository institution to terminate a spe-
specific customer account or a group of customer accounts, the agency shall—

(A) provide such request or order to the institution in writing; and

(B) accompany such request or order with a written justification for why such termination is needed, including any specific laws or regulations the agency believes are being violated by the customer or group of customers, if any.

(2) JUSTIFICATION REQUIREMENT.—A justification described under paragraph (1)(B) may not be based solely on the reputation risk to the depository institution.

(c) CUSTOMER NOTICE.—

(1) NOTICE REQUIRED.—Except as provided under paragraph (2) or as otherwise prohibited from being disclosed by law, if an appropriate Federal banking agency orders a depository institution to terminate a specific customer account or a group of customer accounts, the depository institution shall inform the specific customer or group of customers of the justification for the customer’s account termination described under subsection (b).

(2) NOTICE PROHIBITED.—
(A) NOTICE PROHIBITED IN CASES OF NATIONAL SECURITY.—If an appropriate Federal banking agency requests or orders a depository institution to terminate a specific customer account or a group of customer accounts based on a belief that the customer or customers pose a threat to national security, or are otherwise described under subsection (a)(2), neither the depository institution nor the appropriate Federal banking agency may inform the customer or customers of the justification for the customer’s account termination.

(B) NOTICE PROHIBITED IN OTHER CASES.—If an appropriate Federal banking agency determines that the notice required under paragraph (1) may interfere with an authorized criminal investigation, neither the depository institution nor the appropriate Federal banking agency may inform the specific customer or group of customers of the justification for the customer’s account termination.

(d) REPORTING REQUIREMENT.—Each appropriate Federal banking agency shall issue an annual report to the Congress stating—
21

(1) the aggregate number of specific customer accounts that the agency requested or ordered a depository institution to terminate during the previous year; and

(2) the legal authority on which the agency relied in making such requests and orders and the frequency on which the agency relied on each such authority.

(e) DEFINITIONS.—For purposes of this section:

(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term “appropriate Federal banking agency” means—

(A) the appropriate Federal banking agency, as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(B) the National Credit Union Administration, in the case of an insured credit union.

(2) DEPOSITORY INSTITUTION.—The term “depository institution” means—

(A) a depository institution, as defined under section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(B) an insured credit union.

SEC. 14. DEFINITIONS.

In this Act:
(1) **BUSINESS OF INSURANCE**.—The term “business of insurance” has the meaning given such term in section 1002 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5481).

(2) **CANNABIS**.—The term “cannabis” has the meaning given the term “marihuana” in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(3) **CANNABIS PRODUCT**.—The term “cannabis product” means any article which contains cannabis, including an article which is a concentrate, an edible, a tincture, a cannabis-infused product, or a topical.

(4) **CANNABIS-RELATED LEGITIMATE BUSINESS**.—The term “cannabis-related legitimate business” means a manufacturer, producer, or any person or company that—

(A) engages in any activity described in subparagraph (B) pursuant to a law established by a State or a political subdivision of a State, as determined by such State or political subdivision; and

(B) participates in any business or organized activity that involves handling cannabis or cannabis products, including cultivating, pro-
ducing, manufacturing, selling, transporting,

displaying, dispensing, distributing, or pur-
chasing cannabis or cannabis products.

(5) DEPOSITORY INSTITUTION.—The term “de-
pository institution” means—

(A) a depository institution as defined in
section 3(c) of the Federal Deposit Insurance
Act (12 U.S.C. 1813(c));

(B) a Federal credit union as defined in
section 101 of the Federal Credit Union Act
(12 U.S.C. 1752); or

(C) a State credit union as defined in sec-
section 101 of the Federal Credit Union Act (12

(6) FEDERAL BANKING REGULATOR.—The
term “Federal banking regulator” means each of the
Board of Governors of the Federal Reserve System,
the Bureau of Consumer Financial Protection, the
Federal Deposit Insurance Corporation, the Federal
Housing Finance Agency, the Financial Crimes En-
forcement Network, the Office of Foreign Asset
Control, the Office of the Comptroller of the Curr-
ency, the National Credit Union Administration,
the Department of the Treasury, or any Federal
agency or department that regulates banking or fi-
financial services, as determined by the Secretary of
the Treasury.

(7) FINANCIAL SERVICE.—The term “financial

service”—

(A) means a financial product or service,
as defined in section 1002 of the Dodd-Frank
Wall Street Reform and Consumer Protection
Act (12 U.S.C. 5481);

(B) includes the business of insurance;

(C) includes, whether performed directly or
indirectly, the authorizing, processing, clearing,
settling, billing, transferring for deposit, trans-
mitting, delivering, instructing to be delivered,
reconciling, collecting, or otherwise effectuating
or facilitating of payments or funds, where such
payments or funds are made or transferred by
any means, including by the use of credit cards,
debit cards, other payment cards, or other ac-

cess devices, accounts, original or substitute
checks, or electronic funds transfers;

(D) includes acting as a money transmit-
ing business which directly or indirectly makes
use of a depository institution in connection
with effectuating or facilitating a payment for
a cannabis-related legitimate business or service
provider in compliance with section 5330 of
title 31, United States Code, and any applicable
State law; and

(E) includes acting as an armored car
service for processing and depositing with a de-
pository institution or the Board of Governors
of the Federal Reserve System with respect to
any monetary instruments (as defined under
section 1956(e)(5) of title 18, United States
Code.

(8) INDIAN COUNTRY.—The term “Indian coun-
try” has the meaning given that term in section
1151 of title 18.

(9) INDIAN TRIBE.—The term “Indian Tribe”
has the meaning given that term in section 102 of
the Federally Recognized Indian Tribe List Act of

(10) INSURER.—The term “insurer” has the
meaning given that term under section 313(r) of
title 31, United States Code.

(11) MANUFACTURER.—The term “manufac-
turer” means a person who manufactures, com-
pounds, converts, processes, prepares, or packages
cannabis or cannabis products.
(12) PRODUCER.—The term “producer” means a person who plants, cultivates, harvests, or in any way facilitates the natural growth of cannabis.

(13) SERVICE PROVIDER.—The term “service provider”—

(A) means a business, organization, or other person that—

(i) sells goods or services to a cannabis-related legitimate business; or

(ii) provides any business services, including the sale or lease of real or any other property, legal or other licensed services, or any other ancillary service, relating to cannabis; and

(B) does not include a business, organization, or other person that participates in any business or organized activity that involves handling cannabis or cannabis products, including cultivating, producing, manufacturing, selling, transporting, displaying, dispensing, distributing, or purchasing cannabis or cannabis products.

(14) STATE.—The term “State” means each of the several States, the District of Columbia, Puerto
Rico, and any territory or possession of the United States.