

116TH CONGRESS
1ST SESSION

H. R. 171

To provide for the legitimate use of medicinal marihuana in accordance
with the laws of the various States.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. GRIFFITH introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To provide for the legitimate use of medicinal marihuana
in accordance with the laws of the various States.

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 “Legitimate Use of Me-
5 dicinal Marihuana Act” or the “LUMMA”.

6 **SEC. 2. SCHEDULING OF MARIHUANA; PRESCRIPTIONS.**

7 (a) SCHEDULE.—Marihuana is moved from schedule
8 I of the Controlled Substances Act to schedule II of such
9 Act.

10 (b) PRESCRIPTION.—

1 (1) IN GENERAL.—In a State in which mari-
2 huana may be prescribed by a physician for medical
3 use under applicable State law, no provision of the
4 Controlled Substances Act (21 U.S.C. 801 et seq.)
5 or of the Federal Food, Drug, and Cosmetic Act (21
6 U.S.C. 301 et seq.) shall prohibit or otherwise re-
7 strict—

8 (A) the prescription of marihuana by a
9 physician for medical use;

10 (B) an individual who is an authorized pa-
11 tient from obtaining, possessing, transporting
12 within the individual’s State, or using mari-
13 huana for that individual’s medical use;

14 (C) an individual authorized under State
15 law to obtain, possess, transport within their
16 State, or manufacture marihuana, from obtain-
17 ing, possessing, transporting within that State,
18 or manufacturing marihuana pursuant to that
19 authorization; or

20 (D) a pharmacy or other entity authorized
21 under State law to distribute medical mari-
22 huana to an authorized patient, from obtaining
23 or possessing marihuana for that purpose, or
24 from distributing marihuana to an authorized
25 patient for medical use.

1 (2) PRODUCTION.—No provision of the Con-
2 trolled Substances Act (21 U.S.C. 801 et. seq.) or
3 of the Federal Food, Drug, and Cosmetic Act (21
4 U.S.C. 301 et seq.) shall prohibit or otherwise re-
5 strict an entity authorized by a State, in which mari-
6 huana may be prescribed by a physician for medical
7 use, for the purpose of producing marihuana for pre-
8 scription by a physician for medical use, from pro-
9 ducing, processing, or distributing marihuana for
10 such purpose.

11 **SEC. 3. DEFINITIONS.**

12 In this Act—

13 (1) the term “authorized patient” means an in-
14 dividual using marihuana in accordance with a pre-
15 scription of marihuana by a physician for medical
16 use;

17 (2) the term “physician” means a practitioner
18 of medicine, who—

19 (A) graduated from a college of medicine
20 or osteopathy; and

21 (B) is licensed by the appropriate State
22 board;

23 (3) the term “prescription” means an instruc-
24 tion written by a medical physician in accordance

1 with applicable State law that authorizes a patient
2 to be issued with a medicine or treatment; and

3 (4) the term “State” includes the District of
4 Columbia, Puerto Rico, and any other territory or
5 possession of the United States.

6 **SEC. 4. RELATION OF ACT TO CERTAIN PROHIBITIONS RE-**
7 **LATING TO SMOKING.**

8 This Act does not affect any Federal, State, or local
9 law regulating or prohibiting smoking in public.

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