House Resolution 340
By: Representatives Clark of the 147th, Peake of the 141st, Gravley of the 67th, Clark of the 98th, Dempsey of the 13th, and others

A RESOLUTION

1 Requesting the United States Congress to consider legislation on policies for hemp and marijuana; and for other purposes.

3 WHEREAS, one of the areas in which states have traditionally held the greatest authority is in the exercise of their police powers to determine appropriate law enforcement policies reflective of local values and needs; and

6 WHEREAS, states are increasingly serving as laboratories for democracy by adopting a variety of policies regarding marijuana and hemp; and

8 WHEREAS, over half of the states and the District of Columbia allow the medical use of marijuana; and

10 WHEREAS, additional states such as Georgia have enacted measures that allow patients suffering from intractable epilepsy – and sometimes other conditions – to use marijuana products that have low concentrations of THC; and

13 WHEREAS, nearly half of the states have passed laws or resolutions relative to the cultivation of hemp; and

15 WHEREAS, many banks have been unwilling to do business with medical and adult use marijuana businesses because of federal law and policy, resulting in many retailers becoming cash-only businesses, thus increasing the risk of robbery and inhibiting the ability of states to collect taxes; and

19 WHEREAS, the possibility of federal intervention could prevent the implementation of recent laws to allow low-THC strains of marijuana for patients suffering from intractable epilepsy; and
WHEREAS, the General Assembly passed HB 1 in 2015 and the Governor signed it into law, thus affirming our support of states setting marijuana and hemp policy; and

WHEREAS, the United States Congress, in the Consolidated and Continuing Appropriations Act of 2015, and renewed in the Consolidated Appropriations Act, 2016, the Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act, and the Further Continuing and Security Assistance Appropriations Act, 2017 codified a funding restriction that prohibits the Department of Justice from using any funds to prevent states from implementing their own state laws that authorize the use, distribution, possession, or cultivation of marijuana for medical purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the members of this body believe that federal laws, including the Controlled Substances Act, should be amended to explicitly allow states to set their own marijuana and hemp policies without federal interference and urge the administration not to undermine state marijuana and hemp policies.

BE IT FURTHER RESOLVED that states and localities should be able to set whatever marijuana and hemp policies work best to improve the public safety, health, and economic development of their communities.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized and directed to make an appropriate copy of this resolution available for distribution to our federal congressional delegation.