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Opinion Where I Stand

Why a national marijuana law could be closer to reality in 2019

📅 January 13, 2019 👤 Sarah Lee Gossett Parrish, Cannabis Industry Lawyer

So far, the task of loosening marijuana laws has been left to individual states to implement. But that changed when the Democrats won control of the House of Representatives last month.

“The states have been carrying the water for the pro-marijuana forces for several years but that may finally start to change,” says Sarah Lee Gossett Parrish (sarahleegossettparrish.com), a cannabis industry lawyer. “The federal government is about to get involved in a big way. Uniform national marijuana laws are certainly now on the table.”

Oregon Rep. Earl Blumenauer (D-OR) has already laid out a blueprint to advance national marijuana legislation. Blumenauer’s plan could begin as soon as Democrats take the gavel next month, he said. His strategy would include starting to move the 37 bills currently unable to make it to the House floor under Republicans onto committee schedules, for hearings and proposed legislation.

Here are some of the House committees that could be looking at marijuana issues and what they would be considering:

The House Judiciary Committee. Rep. Blumenauer wants the House to “deschedule” marijuana. It is currently labeled a “Schedule 1” drug, the most tightly restricted category reserved for drugs that have “no currently accepted medical use.” Cannabis advocates have been trying to change that classification since 1972.

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House Veterans Affairs Committee. Hearings may be held on proposed legislation to give veterans access to medical marijuana.

House Financial Services Committee. The focus would be on banking changes. Right now, cannabis businesses are unable to use banks, causing them to be an all-cash business, which makes them more susceptible to robberies and violence. There are many other advantages for cannabis producers if they could have access to banking institutions.

Further optimism about the future of passing national marijuana laws is due to two major roadblocks being removed. Attorney General Jeff Sessions was fired by President Donald Trump and Texas Rep. Pete Sessions was defeated by Democrat Colin Allred.

Although Jeff Sessions had more of a national profile, Rep. Pete Sessions was arguably more important for pro-marijuana forces to remove since he was chairman of the powerful House Rules Committee. He has been credited with keeping almost all marijuana legislation from reaching the floor of Congress for a vote.

“No marijuana bill could get a floor vote under Representative Sessions,” Parrish said. “He was probably the biggest legislative roadblock to comprehensive national marijuana legislation. Now that he is gone, there is a lot of optimism that many of these bills may finally get a vote.”

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