

107TH CONGRESS
1ST SESSION

H. R. 1344

To provide for the medical use of marijuana in accordance with the laws
of the various States.

IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2001

Mr. FRANK (for himself, Ms. BALDWIN, Mr. BLUMENAUER, Mr. CONYERS,
Mr. DEFAZIO, Mr. NADLER, Mr. OLVER, Ms. PELOSI, Mr. STARK, and
Ms. WOOLSEY) introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To provide for the medical use of marijuana 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 “States’ Rights to Med-
5 ical Marijuana Act”.

6 **SEC. 2. CONTROLLED SUBSTANCES ACT.**

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

1 (b) PRESCRIPTION OR RECOMMENDATION.—

2 (1) IN GENERAL.—No provision of the Con-
3 trolled Substances Act shall prohibit or otherwise
4 restrict—

5 (A) the prescription or recommendation of
6 marijuana by a physician for medical use,

7 (B) an individual from obtaining and using
8 marijuana from a prescription or recommenda-
9 tion of marijuana by a physician for medical
10 use by such individual, or

11 (C) a pharmacy from obtaining and hold-
12 ing marijuana for the prescription or rec-
13 ommendation of marijuana by a physician for
14 medical use under applicable State law

15 in a State in which marijuana may be prescribed or
16 recommended by a physician for medical use under
17 applicable State law.

18 (2) PRODUCTION.—No provision of the Con-
19 trolled Substances Act shall prohibit or otherwise re-
20 strict an entity established by a State, in which
21 marijuana may be prescribed or recommended by a
22 physician for medical use, for the purpose of pro-
23 ducing marijuana for prescription or recommenda-
24 tion by a physician for medical use from producing
25 and distributing marijuana for such purpose.

1 **SEC. 3. FEDERAL FOOD, DRUG, AND COSMETIC ACT.**

2 (a) IN GENERAL.—No provision of the Federal Food,
3 Drug, and Cosmetic Act shall prohibit or otherwise
4 restrict—

5 (1) the prescription or recommendation of mari-
6 juana by a physician for medical use,

7 (2) an individual from obtaining and using
8 marijuana from a prescription or recommendation of
9 marijuana by a physician for medical use by such in-
10 dividual, or

11 (3) a pharmacy from obtaining and holding
12 marijuana for the prescription or recommendation of
13 marijuana by a physician for medical use,

14 in a State in which marijuana may be prescribed or rec-
15 ommended by a physician for medical use under applicable
16 State law.

17 (b) PRODUCTION.—No provision of the Federal
18 Food, Drug, and Cosmetic Act shall prohibit or otherwise
19 restrict an entity established by a State, in which mari-
20 juana may be prescribed or recommended by a physician
21 for medical use, for the purpose of producing marijuana
22 for prescription or recommendation by a physician for
23 medical use from producing and distributing marijuana
24 for such purpose.

1 **SEC. 4. RESEARCH.**

2 The National Institute of Drug Abuse shall make
3 marijuana available for the purposes of an investigational
4 new drug study under section 505(i) of the Federal Food,
5 Drug, and Cosmetic Act.

6 **SEC. 5. 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.

○