

113<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3483

To amend title 18, United States Code, to provide exceptions from the firearm prohibitions otherwise applicable in relation to marijuana if its possession is lawful under State law.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2013

Mr. POLIS introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to provide exceptions from the firearm prohibitions otherwise applicable in relation to marijuana if its possession is lawful under State law.

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 “Protecting Individual  
5 Liberties and States’ Rights Act”.

1 **SEC. 2. EXCEPTIONS FROM FIREARM PROHIBITIONS OTH-**  
2 **ERWISE APPLICABLE IN RELATION TO MARI-**  
3 **JUANA IF ITS POSSESSION IS LAWFUL UNDER**  
4 **STATE LAW.**

5 (a) PROHIBITIONS APPLICABLE TO FELONS AND  
6 PERSONS SUBJECT TO A FELONY INDICTMENT.—Section  
7 921(a)(20) of title 18, United States Code, is amended  
8 in the 1st sentence—

9 (1) by striking “or” at the end of subparagraph  
10 (A);

11 (2) by striking the period at the end of sub-  
12 paragraph (B) and inserting “, or”; and

13 (3) by adding at the end the following:

14 “(C) any offense pertaining to marijuana  
15 that occurs in a State if the conduct consti-  
16 tuting the offense is lawful under the law of the  
17 State.”.

18 (b) PROHIBITIONS APPLICABLE TO UNLAWFUL  
19 USERS OF, OR PERSONS ADDICTED TO, A CONTROLLED  
20 SUBSTANCE.—

21 (1) SALE OR OTHER DISPOSITION.—Section  
22 922(d) of such title is amended by adding at the end  
23 the following: “Paragraph (3) of the 1st sentence of  
24 this subsection shall not apply with respect to a sale  
25 or other disposition to a person who is in a State if  
26 the controlled substance involved is marijuana, the

1 possession of marijuana is lawful under the law of  
2 the State, and the person is a resident of the  
3 State.”.

4 (2) RECEIPT, ETC.—Section 922(g) of such  
5 title is amended by adding at the end the following:  
6 “Paragraph (3) of the preceding sentence shall not  
7 apply with respect to conduct of a person in a State  
8 if the controlled substance involved is marijuana, the  
9 possession of marijuana is lawful under the law of  
10 the State, and the person is a resident of the  
11 State.”.

12 (c) MARIJUANA DEFINED.—Section 921(a) of such  
13 title is amended by adding at the end the following:  
14 “(36) The term ‘marijuana’ has the meaning given  
15 the term ‘marihuana’ in section 102(16) of the Controlled  
16 Substances Act.”.

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