To provide disaster assistance to cannabis businesses.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2020

Mr. Wyden (for himself and Mr. Merkley) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To provide disaster assistance to cannabis businesses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Business Disaster Relief Equity Act of 2020”.

SEC. 2. ELIGIBILITY FOR FEDERAL DISASTER ASSISTANCE.

(a) DEFINITIONS.—In this Act:

(1) CANNABIS.—The term “cannabis” has the meaning given the term “marihuana” in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) DISASTER ASSISTANCE.—The term “disaster assistance” means any service, grant, loan (in-
including loan forgiveness), tax credit, tax deduction, or any other assistance—

(A) made available in connection with a federally declared disaster; or


(3) STATE.—The term “State” means each of the several States, the District of Columbia, Puerto Rico, and any territory or possession of the United States.

(4) STATE-LEGAL CANNABIS BUSINESS.—The term “State-legal cannabis business” means any person that—

(A) participates in any business or organized activity that involves handling cannabis, including the manufacture, production, possession, distribution, dispensation, administration, or delivery of cannabis; and
(B) engages in such activity pursuant to a law established by a State, a unit of local government, or an Indian Tribe that has jurisdiction over the Indian country in which the activity occurs.

(b) ELIGIBILITY.—Notwithstanding any other provision of law, a State-legal cannabis business shall not be denied disaster assistance administered by a Federal agency solely because the business is involved in the manufacture, production, possession, distribution, dispensation, administration, or delivery of cannabis.

(c) APPLICATION.—

(1) IN GENERAL.—In the case of disaster assistance described in subsection (a)(2)(A), this Act shall apply to any request for disaster assistance with respect to a Federal disaster declaration issued after December 31, 2019.

(2) COVID–19 RELIEF LEGISLATION.—In the case of disaster assistance described in subsection (a)(2)(B), this Act shall apply to any request for disaster assistance under an Act described in subsection (a)(2)(B).

(3) RETROACTIVE APPLICATION FOR DISASTER ASSISTANCE.—Notwithstanding any other provision of law or disaster assistance request deadline, the
head of each agency that administers disaster assistance shall, to the greatest extent practicable, allow State-legal cannabis businesses to retroactively apply for such disaster assistance.