

119TH CONGRESS
1ST SESSION

H. R. 4595

To provide authority for small cultivators of cannabis and small manufacturers of cannabis products to ship cannabis and cannabis products using the mail, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2025

Mr. HUFFMAN (for himself and Ms. HOYLE of Oregon) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide authority for small cultivators of cannabis and small manufacturers of cannabis products to ship cannabis and cannabis products using the mail, and for other purposes.

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 “Small and Homestead
5 Independent Producers Act of 2025”.

1 **SEC. 2. AUTHORITY FOR SMALL CULTIVATORS AND MANU-**
2 **FACTURERS OF CANNABIS TO SHIP CAN-**
3 **NABIS IN THE MAIL.**

4 A small cultivator of cannabis and a small manufac-
5 turer of a cannabis product located in a State in which
6 such cultivation or manufacture is lawful by that small
7 cultivator or small manufacturer, as applicable, may ship
8 and sell cannabis or a cannabis product to an individual
9 located in that State or another State in which possession
10 of cannabis or the cannabis product is lawful by that indi-
11 vidual, using the United States Postal Service or any pri-
12 vate or commercial interstate carrier.

13 **SEC. 3. AGE VERIFICATION REQUIREMENTS.**

14 The Postal Service and any private or commercial
15 interstate carrier that transports cannabis or a cannabis
16 product, as authorized under section 2, may not deliver
17 such cannabis or a cannabis product to an individual who
18 has not attained the age of 21, and shall verify the age
19 of any individual accepting receipt of such a delivery using
20 a reliable online age verification service or by obtaining
21 and examining a copy of a valid, non-expired government-
22 issued identification, including identification issued by an
23 Indian Tribe.

24 **SEC. 4. PREEMPTION.**

25 (a) STATES IN WHICH CANNABIS IS UNLAWFUL.—
26 Nothing in this Act shall be construed to preempt or su-

1 persede any State law that prohibits the manufacture, dis-
2 tribution, or possession of cannabis for all individuals in
3 that State, except for the purpose of permitting the inter-
4 state transport of cannabis through that State to a final
5 destination in a State in which possession of cannabis is
6 lawful by the intended recipient.

7 (b) STATES IN WHICH CANNABIS IS LAWFUL.—This
8 Act preempts the laws of a State that does not prohibit
9 the manufacture, distribution, or possession of cannabis
10 for all individuals in that State (except with respect to
11 age limitations) to the extent that such laws restrict the
12 interstate or intrastate shipment of cannabis or a cannabis
13 product directly to an individual with respect to whom the
14 possession of cannabis or a cannabis product is lawful
15 under the laws of the State.

16 **SEC. 5. MAILABILITY OF CANNABIS.**

17 Section 1716 of title 18, United States Code, is
18 amended—

19 (1) by redesignating subsections (h) through (k)
20 as subsections (i) through (l), respectively; and

21 (2) by inserting after subsection (g) the fol-
22 lowing:

23 “(h)(1) The Postal Service is authorized and directed
24 to permit the transmission in the mails, under regulations
25 to be prescribed by it, of cannabis, to the extent that the

1 mailing is allowable under the Small and Homestead Inde-
2 pendent Producers Act of 2025.

3 “(2) In this section, the term ‘cannabis’ has the
4 meaning given the term ‘marijuana’ in section 102 of the
5 Controlled Substances Act (21 U.S.C. 802).”.

6 **SEC. 6. DEFINITIONS.**

7 In this Act:

8 (1) The term “cannabis” has the meaning given
9 the term “marijuana” in section 102 of the Con-
10 trolled Substances Act (21 U.S.C. 802).

11 (2) The term “small cultivator of cannabis”
12 means a person who cultivates one acre or less of
13 mature flowering cannabis plant canopy using out-
14 door cultivation, 22,000 square feet or less of can-
15 nabis plant canopy using greenhouse cultivation, or
16 5,000 square feet or fewer of mature flowering can-
17 nabis plant canopy using indoor cultivation, inclusive
18 of all cannabis cultivated by that person.

19 (3) The term “small manufacturer of a can-
20 nabis product” means a person who produces a
21 manufactured cannabis product, including a salve,
22 tincture, edible, or concentrate, with a gross annual
23 revenue of less than \$5,000,000, inclusive of all can-
24 nabis product manufactured by that person.

1 (4) The term “person” has the meaning given
2 such term in section 1 of title 1, United States
3 Code.

4 (5) The term “outdoor cultivation” means the
5 cultivation of mature cannabis without the use of ar-
6 tificial lighting or heating in the canopy area at any
7 point in time, and may include the use of light dep-
8 rivation.

9 (6) The term “light deprivation” means the use
10 of any technique to eliminate natural light in order
11 to induce flowering.

12 (7) The term “greenhouse cultivation” means
13 the cultivation of mature cannabis in a structure uti-
14 lizing artificial light at a rate above zero watts per
15 square foot, but no more than six watts per square
16 foot.

17 (8) The term “indoor cultivation” means the
18 cultivation of mature cannabis in a structure with
19 the use of artificial light at a rate above six watts
20 per square foot in the canopy area.

21 (9) The term “canopy” means the area that
22 contains mature cannabis plants at any point in
23 time.

24 (10) The term “mature” means, with respect to
25 a cannabis plant, a cannabis plant that is flowering.

1 **SEC. 7. EFFECTIVE DATE.**

2 This Act, and the amendments made by this Act,
3 shall take effect on the date on which cannabis is removed
4 from the list of scheduled substances under the Controlled
5 Substances Act, and Federal criminal penalties for an in-
6 dividual who manufactures, distributes, or possesses can-
7 nabis, are eliminated.

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