

112TH CONGRESS
2D SESSION

H. R. 6335

To amend the Controlled Substances Act so as to exempt real property from civil forfeiture due to medical-marijuana-related conduct that is authorized by State law.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2012

Ms. LEE of California (for herself, Mr. POLIS, Mr. FARR, Mr. STARK, Mr. HINCHEY, Mr. BLUMENAUER, Mr. HONDA, Mr. FRANK of Massachusetts, and Mr. MCGOVERN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, 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 amend the Controlled Substances Act so as to exempt real property from civil forfeiture due to medical-marijuana-related conduct that is authorized by 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 “States’ Medical Mari-
5 juana Property Rights Protection Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) 17 States and the District of Columbia
2 have, through ballot measure or legislative action,
3 approved the use of marijuana for medical purposes
4 when recommended by a physician.

5 (2) Marijuana has long-established medical uses
6 as an effective treatment for conditions that include
7 HIV/AIDS, multiple sclerosis, arthritis, gastro-intes-
8 tinal disorders, chronic pain, and others as well.

9 **SEC. 3. CIVIL FORFEITURE EXEMPTION FOR MARIJUANA**
10 **FACILITIES AUTHORIZED BY STATE LAW.**

11 Paragraph (7) of section 511(a) of the Controlled
12 Substances Act (21 U.S.C. 881(a)(7)) is amended—

13 (1) by striking “(7) All” and inserting “(7)(A)
14 Except as provided in subparagraph (B), all”; and

15 (2) by adding at the end the following:

16 “(B) No real property, including any right,
17 title, and interest in the whole of any lot or tract of
18 land and any appurtenances or improvements, shall
19 be subject to forfeiture under subparagraph (A) due
20 to medical marijuana-related conduct that is author-
21 ized by State law.”.

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