

Assembly Joint Resolution No. 8—Assemblymen D’Silva, Brittney Miller; Anderson, Brown-May, Carter, Cohen, Considine, DeLong, Dickman, Gallant, González, Gorelow, La Rue Hatch, C.H. Miller, Monroe-Moreno, Mosca, Newby, Nguyen, O’Neill, Orentlicher, Peters, Summers-Armstrong, Taylor, Thomas, Torres, Watts and Yeager

Joint Sponsors: Senators Donate, Flores, Hammond, D. Harris, Neal, Nguyen, Ohrenschall, Spearman and Stone

FILE NUMBER.....

ASSEMBLY JOINT RESOLUTION—Urging the Congress of the United States to deschedule marijuana as a schedule I controlled substance.

WHEREAS, Under Nevada law, cannabis and marijuana share an identical meaning; and

WHEREAS, Under the Controlled Substance Act, drugs, substances and certain chemicals used to make drugs are classified into five distinct schedules depending upon the acceptable medical use of the drug and the potential of the drug for abuse; and

WHEREAS, Schedule I drugs, substances or chemicals are defined as drugs with no currently accepted medical use and a high potential for abuse; and

WHEREAS, Cannabis is classified as a schedule I drug, alongside heroin, although marijuana has many well documented medical uses; and

WHEREAS, According to the National Academy of Medicine, modern medical research has confirmed the beneficial uses for marijuana in treating or alleviating the pain, nausea and other symptoms associated with a variety of debilitating medical conditions, including cancer, multiple sclerosis and HIV/AIDS; and

WHEREAS, Marijuana has many currently accepted medical uses in the United States, having been recommended by thousands of licensed physicians to at least 350,000 patients in states with medical marijuana laws; and

WHEREAS, Marijuana’s medical utility has been recognized by a wide range of medical and public health organizations, including, without limitation, the American Academy of HIV Medicine, the American College of Physicians, the American Nurses Association, the American Public Health Association and the Leukemia and Lymphoma Society; and

WHEREAS, In 1998 and 2000, Nevada voters approved the *Nevada Medical Marijuana Act*, a referendum initiative intended to



amend the Nevada Constitution to legalize marijuana for medical use in Nevada, which passed in two consecutive elections, as is required for a constitutional amendment; and

WHEREAS, The medical value of cannabis was enshrined into Nevada's constitution through the addition of Article 4, Section 38 of the Nevada Constitution, which requires the Nevada Legislature to provide by law for the use by a patient, upon the advice of his physician, of a plant of the genus Cannabis for the treatment or alleviation of cancer, glaucoma, acquired immunodeficiency syndrome, severe, persistent nausea of cachexia resulting from these or other chronic or debilitating medical conditions, epilepsy and other disorders characterized by seizure, multiple sclerosis and other disorders characterized by muscular spasticity, or other conditions approved pursuant to law for such treatment; and

WHEREAS, In 2016, Nevada voters voted upon and approved the Initiative to Regulate and Tax Marijuana, which legalized possession of marijuana for recreational purposes; and

WHEREAS, A district court in Nevada has already held that cannabis is no longer a schedule I controlled substance in Nevada; and

WHEREAS, There are approximately 5.4 million state-legal patients in the United States and its territories who are unable to receive medical insurance prescription health coverage for medical marijuana, primarily because of marijuana's federal designation as a schedule I controlled substance; and

WHEREAS, In its State of the States 2021 report, the advocacy group Safe Access Now estimated that medical marijuana customers at state dispensaries were likely to pay as much as \$350 before they could access and pay for the cost of marijuana; and

WHEREAS, Marijuana is not an eligible health savings account expense because of its current federal designation as a schedule I controlled substance; and

WHEREAS, Because of marijuana's current federal designation as a schedule I controlled substance, tracing money back to a state marijuana operation could result in criminal prosecution for aiding and abetting a federal crime or money laundering, and most financial institutions are therefore unwilling to accept the legal risks associated with offering financial services to the medical marijuana industry, resulting in medical marijuana distributors having limited access to traditional banking and financial services and forcing them to operate using only cash; and

WHEREAS, Operating a business with large amounts of cash on hand is a public safety threat, causing such a business to become a



target for crime, thereby putting the safety of staff and patients at risk; and

WHEREAS, Marijuana does not belong in schedule I of the Controlled Substances Act, a classification intended for exceptionally dangerous substances with high potential for abuse and no currently accepted medical use; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That the members of the 82nd Session of the Nevada Legislature hereby urge Congress to support legislation to remove cannabis from schedule I of the Controlled Substances Act; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the United States House of Representatives and each member of the Nevada Congressional Delegation; and be it further

RESOLVED, That this resolution becomes effective upon passage.



