

Marijuana Freedom and Opportunity Act Section-by-Section

SECTION 1: SHORT TITLE

SECTION 2: REMOVES MARIJUANA FROM THE FEDERAL CONTROLLED SUBSTANCES LIST

□ This section amends the Controlled Substances Act of 1970 (CSA) by removing marijuana from the list of scheduled narcotics. When the CSA was enacted, marijuana was listed as a Schedule I drug, deeming it as dangerous as heroin and more dangerous than cocaine. Removing marijuana from the CSA, effectively decriminalizing it at the federal level, will allow each state to regulate marijuana in a way that works best for them.

SECTION 3: LEVELING THE ECONOMIC PLAYING FIELD

□ This section creates a dedicated funding stream to ensure entrepreneurs from communities that have been disproportionately impacted by our current marijuana laws have a chance to participate in the new marijuana industry. In order to ensure that as the marijuana industry grows opportunity grows with it, the bill instructs the Treasury Department to transfer a percentage of annual federal income tax revenue generated by businesses in the marijuana industry to a Trust Fund to be administrated by Treasury. These funds would be made available to the Small Business Administration's Microloan Program for the purpose of awarding grants and loans to support women and minority-owned marijuana businesses.

SECTION 4: HIGHWAY SAFETY RESEARCH

□ This section authorizes \$250 million over five years for highway safety research to ensure federal agencies have the resources they need to assess the possible pitfalls of driving under the influence of THC and to help expedite the development of enhanced strategies and procedures to reliably determine the impairment of a driver under the influence of THC.

- **PUBLIC SAFETY STUDY:** Data linked to traffic incidents paints an incomplete picture about the relationship between marijuana use, driver impairment and vehicle-related incidents. As such, the bill instructs the Administrator of the National Highway Traffic Safety Administration (NHTSA) to carry out a study on the impact of driving under the influence of tetrahydrocannabinol (THC) on highway safety.
- **IMPAIRMENT DETECTION:** Because little is known about how to successfully test for marijuana impairment, the bill also instructs NHTSA to develop enhanced strategies and procedures to reliably determine impairment when under the influence of THC.

SECTION 5: PUBLIC HEALTH RESEARCH

□ This section authorizes \$500 million over five years for critical public health research to better understand the effects of THC on the brain and the efficacy of medicinal marijuana for specific ailments. The bill instructs the Secretary of Health and Human Services in consultation with the Director of the National Institutes of Health and the Commissioner of the Food and Drugs Administration to conduct research on the health impacts of marijuana including the effects of THC on the human brain, efficacy of medical marijuana as a treatment for specific ailments, and additional exploration of medical benefits and uses.

SECTION 6: PROMOTION & ADVERTISING

□ This section establishes federal authority to regulate marijuana advertising and promotion in the same way as is currently done with tobacco to ensure that marijuana businesses aren't allowed to target children with their products. The bill enables the Alcohol and Tobacco Tax and Trade Bureau

to regulate the advertisements or promotion of marijuana related products in order to prohibit promotion to individuals 18 and under, including users and nonusers of marijuana products, and to impose penalties for subsequent violations of the rules.

SECTION 7: FUNDING FOR STATE AND LOCAL EXPUNGEMENT OR SEALING PROGRAMS

☐ This section incentivizes state and local governments to create expungement or sealing programs for individuals with prior convictions for marijuana possession. The bill authorizes \$100 million across five years to help cover the costs of administering, expanding, or developing such programs. In order to ensure that eligible individuals are able to take advantage of these programs, half of the funding is directed to cover the costs of public defenders and legal aid providers.

SECTION 8: INTERSTATE TRAFFICKING

☐ This section preserves the authority of the Federal Government to prevent marijuana trafficking from States that have legalized marijuana to those that have not. This will help to ensure that the rights of states that choose not to legalize marijuana are respected as well.