

113TH CONGRESS
1ST SESSION

H. R. 3483

To amend title 18, United States Code, to provide exceptions from the firearm prohibitions otherwise applicable in relation to marijuana if its possession is lawful under State law.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 14, 2013

Mr. POLIS introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide exceptions from the firearm prohibitions otherwise applicable in relation to marijuana if its possession is lawful under 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 “Protecting Individual
5 Liberties and States’ Rights Act”.

1 **SEC. 2. EXCEPTIONS FROM FIREARM PROHIBITIONS OTH-**
2 **ERWISE APPLICABLE IN RELATION TO MARI-**
3 **JUANA IF ITS POSSESSION IS LAWFUL UNDER**
4 **STATE LAW.**

5 (a) PROHIBITIONS APPLICABLE TO FELONS AND
6 PERSONS SUBJECT TO A FELONY INDICTMENT.—Section
7 921(a)(20) of title 18, United States Code, is amended
8 in the 1st sentence—

9 (1) by striking “or” at the end of subparagraph
10 (A);

11 (2) by striking the period at the end of sub-
12 paragraph (B) and inserting “, or”; and

13 (3) by adding at the end the following:

14 “(C) any offense pertaining to marijuana
15 that occurs in a State if the conduct consti-
16 tuting the offense is lawful under the law of the
17 State.”.

18 (b) PROHIBITIONS APPLICABLE TO UNLAWFUL
19 USERS OF, OR PERSONS ADDICTED TO, A CONTROLLED
20 SUBSTANCE.—

21 (1) SALE OR OTHER DISPOSITION.—Section
22 922(d) of such title is amended by adding at the end
23 the following: “Paragraph (3) of the 1st sentence of
24 this subsection shall not apply with respect to a sale
25 or other disposition to a person who is in a State if
26 the controlled substance involved is marijuana, the

1 possession of marijuana is lawful under the law of
2 the State, and the person is a resident of the
3 State.”.

4 (2) RECEIPT, ETC.—Section 922(g) of such
5 title is amended by adding at the end the following:
6 “Paragraph (3) of the preceding sentence shall not
7 apply with respect to conduct of a person in a State
8 if the controlled substance involved is marijuana, the
9 possession of marijuana is lawful under the law of
10 the State, and the person is a resident of the
11 State.”.

12 (c) MARIJUANA DEFINED.—Section 921(a) of such
13 title is amended by adding at the end the following:
14 “(36) The term ‘marijuana’ has the meaning given
15 the term ‘marihuana’ in section 102(16) of the Controlled
16 Substances Act.”.

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