

113TH CONGRESS
2D SESSION

H. R. 4498

To provide for the legitimate use of medicinal marijuana in accordance with the laws of the various States.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2014

Mr. GRIFFITH of Virginia introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To provide for the legitimate use of medicinal marijuana in accordance with the laws of the various States.

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 “Legitimate Use of Me-
5 dicinal Marijuana Act” or the “LUMMA”.

6 **SEC. 2. SCHEDULING OF MARIJUANA; PRESCRIPTIONS.**

7 (a) SCHEDULE.—Marijuana is moved from schedule
8 I of the Controlled Substances Act to schedule II of such
9 Act.

10 (b) PRESCRIPTION.—

1 (1) IN GENERAL.—In a State in which mari-
2 juana may be prescribed by a physician for medical
3 use under applicable State law, no provision of the
4 Controlled Substances Act (21 U.S.C. 801 et seq.)
5 or of the Federal Food, Drug, and Cosmetic Act (21
6 U.S.C. 301 et seq.) shall prohibit or otherwise re-
7 strict—

8 (A) the prescription of marijuana by a
9 physician for medical use;

10 (B) an individual who is an authorized pa-
11 tient from obtaining, possessing, transporting
12 within the individual’s State, or using mari-
13 juana for that individual’s medical use;

14 (C) an individual authorized under State
15 law to obtain, possess, transport within their
16 State, or manufacture marijuana, from obtain-
17 ing, possessing, transporting within that State,
18 or manufacturing marijuana pursuant to that
19 authorization; or

20 (D) a pharmacy or other entity authorized
21 under State law to distribute medical marijuana
22 to an authorized patient, from obtaining or pos-
23 sessing marijuana for that purpose, or from dis-
24 tributing marijuana to an authorized patient for
25 medical use.

1 (2) PRODUCTION.—No provision of the Con-
2 trolled Substances Act (21 U.S.C. 801 et seq.) or of
3 the Federal Food, Drug, and Cosmetic Act (21
4 U.S.C. 301 et seq.) shall prohibit or otherwise re-
5 strict an entity authorized by a State, in which mari-
6 juana may be prescribed by a physician for medical
7 use, for the purpose of producing marijuana for pre-
8 scription by a physician for medical use, from pro-
9 ducing, processing, or distributing marijuana for
10 such purpose.

11 **SEC. 3. DEFINITIONS.**

12 In this Act—

13 (1) the term “authorized patient” means an in-
14 dividual using marijuana in accordance with a pre-
15 scription of marijuana by a physician for medical
16 use;

17 (2) the term “physician” means a practitioner
18 of medicine, who—

19 (A) graduated from a college of medicine
20 or osteopathy; and

21 (B) is licensed by the appropriate State
22 board;

23 (3) the term “prescription” means an instruc-
24 tion written by a medical physician in accordance

1 with applicable State law that authorizes a patient
2 to be issued with a medicine or treatment; and

3 (4) the term “State” includes the District of
4 Columbia, Puerto Rico, and any other territory or
5 possession of the United States.

6 **SEC. 4. RELATION OF ACT TO CERTAIN PROHIBITIONS RE-**
7 **LATING TO SMOKING.**

8 This Act does not affect any Federal, State, or local
9 law regulating or prohibiting smoking in public.

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