H. R. 1782

To provide for the medical use of marijuana.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 1997

Mr. FRANK of Massachusetts (for himself and Ms. PELOSI) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To provide for the medical use of marijuana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Medical Use of Marijuana Act”.

SEC. 2. CONTROLLED SUBSTANCES ACT.

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

(b) PRESCRIPTION OR RECOMMENDATION.—
(1) IN GENERAL.—No provision of the Controlled Substances Act shall prohibit or otherwise restrict—

(A) the prescription or recommendation of marijuana by a physician for medical use,

(B) an individual from obtaining and using marijuana from a prescription or recommendation of marijuana by a physician for medical use by such individual, or

(C) a pharmacy from obtaining and holding marijuana for the prescription or recommendation of marijuana by a physician for medical use under applicable State law

in a State in which marijuana may be prescribed or recommended by a physician for medical use under applicable State law.

(2) PRODUCTION.—No provision of the Controlled Substances Act shall prohibit or otherwise restrict an entity established by a State, in which marijuana may be prescribed or recommended by a physician for medical use, for the purpose of producing marijuana for prescription or recommendation by a physician for medical use from producing and distributing marijuana for such purpose.
SEC. 3. FEDERAL FOOD, DRUG, AND COSMETIC ACT.

(a) In General.—No provision of the Federal Food, Drug, and Cosmetic Act shall prohibit or otherwise restrict—

(1) the prescription or recommendation of marijuana by a physician for medical use,

(2) an individual from obtaining and using marijuana from a prescription or recommendation of marijuana by a physician for medical use by such individual, or

(3) a pharmacy from obtaining and holding marijuana for the prescription or recommendation of marijuana by a physician for medical use, in a State in which marijuana may be prescribed or recommended by a physician for medical use under applicable State law.

(b) Production.—No provision of the Federal Food, Drug, and Cosmetic Act shall prohibit or otherwise restrict an entity established by a State, in which marijuana may be prescribed or recommended by a physician for medical use, for the purpose of producing marijuana for prescription or recommendation by a physician for medical use from producing and distributing marijuana for such purpose.
SEC. 4. RESEARCH.

The National Institute of Drug Abuse shall make marijuana available for the purposes of an investigational new drug study under section 505(i) of the Federal Food, Drug, and Cosmetic Act.