

116TH CONGRESS
1ST SESSION

H. R. 3544

To decriminalize cannabis, to establish an Equitable Licensing Grant Program in the Small Business Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2019

Mr. EVANS introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Agriculture, Natural Resources, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To decriminalize cannabis, to establish an Equitable Licensing Grant Program in the Small Business Administration, and for other purposes.

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 “Homegrown Act of
5 2019.”.

6 **SEC. 2. DECRIMINALIZATION OF CANNABIS.**

7 (a) CANNABIS REMOVED FROM SCHEDULE OF CON-
8 TROLLED SUBSTANCES.—Subsection (c) of schedule I of

1 section 202(c) of the Controlled Substances Act (21
2 U.S.C. 812) is amended—

3 (1) by striking “Marihuana”; and

4 (2) by striking “Tetrahydrocannabinols”,

5 and renumbering accordingly.

6 (b) CONFORMING AMENDMENTS TO CONTROLLED
7 SUBSTANCES ACT.—The Controlled Substances Act (21
8 U.S.C. 801 et seq.) is amended—

9 (1) in section 102(44) (21 U.S.C. 802(44)), by
10 striking “marihuana,”;

11 (2) in section 401(b) (21 U.S.C. 841(b))—

12 (A) in paragraph (1)—

13 (i) in subparagraph (A)—

14 (I) in clause (vi), by inserting

15 “or” after the semicolon;

16 (II) by striking (vii); and

17 (III) by redesignating clause

18 (viii) as clause (vii);

19 (ii) in subparagraph (B)—

20 (I) in clause (vi), by inserting

21 “or” after the semicolon;

22 (II) by striking clause (vii); and

23 (III) by redesignating clause

24 (viii) as clause (vii);

- 1 (iii) in subparagraph (C), in the first
- 2 sentence, by striking “subparagraphs (A),
- 3 (B), and (D)” and inserting “subpara-
- 4 graphs (A) and (B)”;
- 5 (iv) by striking subparagraph (D);
- 6 (v) by redesignating subparagraph (E)
- 7 as subparagraph (D); and
- 8 (vi) in subparagraph (D)(i), as so re-
- 9 designated, by striking “subparagraphs (C)
- 10 and (D)” and inserting “subparagraph
- 11 (C)”;
- 12 (B) by striking paragraph (4); and
- 13 (C) by redesignating paragraphs (5), (6),
- 14 and (7) as paragraphs (4), (5), and (6), respec-
- 15 tively;
- 16 (3) in section 402(c)(2)(B) (21 U.S.C.
- 17 842(c)(2)(B)), by striking “marihuana,”;
- 18 (4) in section 403(d)(1) (21 U.S.C. 843(d)(1)),
- 19 by striking “marihuana,”;
- 20 (5) in section 418(a) (21 U.S.C. 859(a)), by
- 21 striking the last sentence;
- 22 (6) in section 419(a) (21 U.S.C. 860(a)), by
- 23 striking the last sentence;
- 24 (7) in section 422(d) (21 U.S.C. 863(d))—

1 (A) in the matter preceding paragraph (1),
2 by striking “marijuana,”; and

3 (B) in paragraph (5), by striking “, such
4 as a marihuana cigarette,”; and

5 (8) in section 516(d) (21 U.S.C. 886(d)), by
6 striking “section 401(b)(6)” each place the term ap-
7 pears and inserting “section 401(b)(5)”.

8 (c) OTHER CONFORMING AMENDMENTS.—

9 (1) NATIONAL FOREST SYSTEM DRUG CONTROL
10 ACT OF 1986.—The National Forest System Drug
11 Control Act of 1986 (16 U.S.C. 559b et seq.) is
12 amended—

13 (A) in section 15002(a) (16 U.S.C.
14 559b(a)) by striking “marijuana and other”;

15 (B) in section 15003(2) (16 U.S.C.
16 559c(2)) by striking “marijuana and other”;
17 and

18 (C) in section 15004(2) (16 U.S.C.
19 559d(2)) by striking “marijuana and other”.

20 (2) INTERCEPTION OF COMMUNICATIONS.—Sec-
21 tion 2516 of title 18, United States Code, is amend-
22 ed—

23 (A) in subsection (1)(e), by striking “,
24 marihuana,”; and

1 (B) in subsection (2) by striking “mari-
2 huana”.

3 **SEC. 3. EQUITABLE LICENSING GRANT PROGRAM.**

4 The Small Business Administration shall establish
5 and carry out a grant program to be known as the “Equi-
6 table Licensing Grant Program” to provide eligible enti-
7 ties funds to develop and implement equitable cannabis li-
8 censing programs that minimize barriers to cannabis li-
9 censing and employment for individuals most adversely
10 impacted by the war on drugs, provided that each grantee
11 includes at least four of the six of the following elements
12 in its licensing program:

13 (1) A waiver of cannabis license application fees
14 for individuals most adversely impacted by the war
15 on drugs who are first-time applicants.

16 (2) A prohibition on the denial of a cannabis li-
17 cense based on a conviction of a cannabis-related of-
18 fense.

19 (3) A prohibition on criminal conviction restric-
20 tions for licensing except in instances where the con-
21 viction is relevant to owning and operating a busi-
22 ness.

23 (4) A prohibition on cannabis license holders
24 from engaging in suspicion less cannabis drug test-
25 ing of their prospective or current employees, except

1 in instances of drug testing for safety-sensitive posi-
2 tions as defined by the Omnibus Transportation
3 Employee Testing Act of 1991 (Public Law 102–
4 143).

5 (5) The establishment of a cannabis licensing
6 board, that is reflective of the racial, ethnic, eco-
7 nomic, and gender composition of the State or local-
8 ity, to serve as an oversight body of the equitable li-
9 censing program.

10 (6) The establishment of a grant program from
11 cannabis tax revenue to support non-profit commu-
12 nity-based organizations that provide business train-
13 ing and technical, management, and marketing as-
14 sistance to individuals most adversely impacted by
15 the war on drugs who are starting, sustaining, or ex-
16 panding a cannabis business.

○