

COMPASSIONATE ACCESS, RESEARCH EXPANSION, AND RESPECT STATES ACT

S. 683: introduced by Senators Booker (D-NJ), Paul (R-KY), Gillibrand (D-NY); cosponsors: Heller (R-NV), Boxer (D-CA)

H.R. 1538: introduced by Representatives Cohen (D-TN) and Young (R-AK)

The **CARERS Act** is the first comprehensive medical marijuana bill introduced in the U.S. Senate (S. 683), and a companion has since been introduced in the House (H.R. 1538). The CARERS Act makes clear that medical marijuana patients, physicians, caregivers, or the businesses that produce, process, test, or distribute this botanical medicine should not face federal arrest or prosecution in states where such conduct has been declared legal. Section 2 states:

Notwithstanding any other provision of law, the provisions of this title relating to marijuana shall not apply to any person acting in compliance with State law relating to the production, possession, distribution, dispensation, administration, laboratory testing, or delivery of medical marijuana.

The CARERS Act would help reshape federal medical marijuana law in six important ways.

1. End Federal Interference

- Allows states to continue to lead the way on medical marijuana advancements and to expand their programs
- Establishes clear federal protection for anyone abiding by state law
- Creates tax equity for businesses operating under state law regarding IRS Code Sec. 280e

2. Reschedule Marijuana

- Formally acknowledges that marijuana has an acceptable medical use
- Allows state medical marijuana programs to continue to operate independently of federal restrictions
- Moves marijuana from Schedule I to Schedule II, but the bill would not prevent the Administration from further rescheduling or descheduling marijuana based on available or emerging science

3. Remove CBD From Controlled Substances Act

- Removes marijuana derivatives under 0.3% THC from the CSA schedules altogether
- Permits transportation of high-CBD seeds, clones, and extracts across state lines
- Respects states that allow for levels above 0.3% THC in their CBD laws

4. Enable Access to Banking Services

- Allows anyone in compliance with state law to access critical financial services
- Prevents the federal government from penalizing marijuana businesses
- Eliminates incentives for banks to file Suspicious Activity Reports and discriminate against businesses

5. Eliminate Federal Research Barriers

- Removes the two biggest barriers to medical marijuana research in the U.S.
- Exempts medical marijuana from the Public Health Service (PHS) review process
- Ends the single-source research materials monopoly by the National Institute of Drug Abuse (NIDA)

6. Ensure Equality for Military Veterans

- Authorizes Veterans Health Administration (VHA) doctors to recommend medical marijuana
- Definitively allows veterans who rely on the VHA for their health care to become medical marijuana patients in states where its legal
- Allows veterans to disclose cannabis therapy to the VHA, without fear of reprisal