

SENATE BILL REPORT

SJM 8017

As of February 2, 2012

Brief Description: Requesting that the Drug Enforcement Administration reclassify medical marijuana as a Schedule II drug.

Sponsors: Senators Kohl-Welles, Keiser, Murray, Delvin, Conway, Pflug, Tom, Regala, Fain, Fraser and Kline.

Brief History:

Committee Activity: Health & Long-Term Care: 2/02/12.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Veronica Warnock (786-7490)

Background: Currently, the United States Drug Enforcement Administration (DEA) classifies marijuana as a Schedule I controlled substance. According to the DEA, drugs listed in Schedule I have no currently accepted medical use for treatment in the United States and, therefore, may not be prescribed, administered, or dispensed for medical use. In contrast, drugs listed in Schedules II-V have some accepted medical use and may be prescribed, administered, or dispensed for medical use, with controls.

In 1998 Washington voters approved I-692 which permitted the use of marijuana for medical purposes by qualifying patients. The Legislature subsequently amended the chapter on medical use of cannabis in 2007, 2010, and 2011. Under current law qualified patients may grow medical cannabis for themselves or designate a provider to grow it on their behalf. Up to ten qualified patients may pool resources and grow cannabis for their personal medical use by creating and participating in collective gardens. Patients are permitted to assert an affirmative defense at trial with proof of compliance with the medical cannabis law.

On November 30, 2011, Governor Christine Gregoire and Governor Lincoln Chafee of Rhode Island filed a petition with the DEA to reclassify marijuana as a Schedule II controlled substance.

Summary of Bill: The Joint Memorial supports the petition recently submitted by Governor Gregorie and Governor Chaffee and requests that the DEA initiate rule-making proceedings to reclassify medical marijuana as a Schedule II drug.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.