
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 258 Session of
2018

INTRODUCED BY WILLIAMS, FOLMER, COSTA AND HUGHES,
JANUARY 26, 2018

REFERRED TO STATE GOVERNMENT, JANUARY 26, 2018

A RESOLUTION

1 Urging the Congress of the United States to amend the Controlled
2 Substances Act to remove marijuana as a Schedule I controlled
3 substance and to recognize the proven medical purposes of
4 marijuana.

5 WHEREAS, The Controlled Substances Act (Public Law 91-513, 84
6 Stat. 1236) was enacted by the 91st Congress and became
7 effective May 1, 1970; and

8 WHEREAS, Schedule I drugs, substances or chemicals under the
9 Controlled Substances Act include controlled substances which
10 are found to have highly addictive properties, no currently
11 accepted medical use in the United States and a lack of accepted
12 safety for use of the drug under medical supervision; and

13 WHEREAS, Marijuana is listed as a Schedule I controlled
14 substance under the Controlled Substances Act, and there are no
15 exceptions in Federal law for marijuana purportedly used for
16 medicinal purposes even if the use is sanctioned by State law;
17 and

18 WHEREAS, An ongoing national debate as to the safety and
19 medical application of marijuana has led nearly 30 states,

1 including the Commonwealth of Pennsylvania, to approve the use
2 of marijuana for treatment of certain medical conditions; and

3 WHEREAS, 18 U.S.C. § 922(g)(3) prohibits any person who is an
4 "unlawful user of or addicted to any controlled substance (as
5 defined in section 102 of the Controlled Substances Act (21
6 U.S.C. 802))" from shipping, transporting, receiving or
7 possessing firearms or ammunition; and

8 WHEREAS, Recent guidance from the United States Department of
9 Justice has reiterated marijuana's status as an illegal drug
10 under the Controlled Substances Act; and

11 WHEREAS, Current Federal law restricting possession of a
12 firearm by marijuana users in states which have legalized its
13 use creates contradictory legal standards; and

14 WHEREAS, Carving out a special exception for marijuana users
15 to own firearms while marijuana remains classified as a Schedule
16 I controlled substance would create special protections for some
17 federally illegal drug users while preserving restrictions on
18 others; and

19 WHEREAS, In order to create a cohesive and unified system
20 among the states, including states which have not legalized the
21 medical use of marijuana, the Federal Government must choose to
22 either ignore the prohibition on marijuana users owning firearms
23 or reschedule marijuana to permit its medical use; therefore be
24 it

25 RESOLVED, That the Senate of the Commonwealth of Pennsylvania
26 urge the Congress of the United States to amend the Controlled
27 Substances Act to remove marijuana as a Schedule I controlled
28 substance and to recognize the proven medical purposes of
29 marijuana; and be it further

30 RESOLVED, That a copy of this resolution be transmitted to

1 the President of the United States, the presiding officers of
2 each house of Congress and to each member of Congress from
3 Pennsylvania.