



SPONSOR: Sen. Buckson  
Sens. Gay, Hoffner, Lockman, S. McBride, Paradee,  
Pinkney, Sturgeon

DELAWARE STATE SENATE  
152nd GENERAL ASSEMBLY

SENATE RESOLUTION NO. 11

URGING OUR FEDERAL DELEGATION TO SUPPORT LEGISLATION TO DESCHEDULE MARIJUANA.

1           WHEREAS, under the Controlled Substance Act, drugs, substances, and certain chemicals used to make drugs are  
2 classified into five distinct categories or schedules depending upon the drug's acceptable medical use and the drug's abuse  
3 or dependency potential: and

4           WHEREAS, Schedule I drugs, substances, or chemicals are defined as drugs with no current accepted medical use  
5 and a high potential for abuse; and

6           WHEREAS, marijuana (cannabis) is classified as a Schedule I drug, alongside Heroin, though marijuana has many  
7 well documented medical uses; and

8           WHEREAS, according to the National Academy of Sciences' Institute of Medicine, modern medical research has  
9 confirmed the beneficial uses for marijuana in treating or alleviating the pain, nausea, and other symptoms associated with a  
10 variety of debilitating medical conditions, including cancer, multiple sclerosis, and HIV/AIDS; and

11           WHEREAS, marijuana has many currently accepted medical uses in the United States, having been recommended  
12 by thousands of licensed physicians to at least 350,000 patients in states with medical marijuana laws; and

13           WHEREAS, marijuana's medical utility has been recognized by a wide range of medical and public health  
14 organizations, including the American Academy of HIV Medicine, the American College of Physicians, the American  
15 Nurses Association, the American Public Health Association, and the Leukemia and Lymphoma Society; and

16           WHEREAS, there are approximately 5.4 million state-legal patients in the U.S. & its territories who are unable to  
17 receive medical insurance prescription health coverage for medical marijuana, primarily due to the drug's federal  
18 designation; and

19           WHEREAS, in its State of the States 2021 report, the advocacy group Safe Access Now estimated that medical  
20 marijuana customers at states dispensaries were likely to pay as much as \$350 before they could access and pay the cost of  
21 marijuana; and

22           WHEREAS, marijuana is not an eligible health savings account expense because the drug is illegal under federal  
23 law, even if it's being used for medicinal purposes; and

24 WHEREAS, due to the current federal designation, monies that can be traced back to a state marijuana operation  
25 could be considered aiding and abetting a federal crime and money laundering; and

26 WHEREAS, most financial institutions are unwilling to accept this risk, meaning medical marijuana distributors  
27 have limited access to traditional banking and financial services, and are forced to operate in cash; and

28 WHEREAS, operating a business with large amounts of cash on hand is a public safety threat, as these  
29 establishments become targets for crime, putting the safety of staff and patients at risk; for example, while dispensaries  
30 make up less than 1% of Denver businesses, they accounted for 10% of all reported commercial burglaries from 2012 to  
31 2016; and

32 WHEREAS, marijuana does not belong in Schedule I of the Controlled Substances Act, a classification intended  
33 for exceptionally dangerous substances with high potential for abuse and no medical use.

34 NOW, THEREFORE:

35 BE IT RESOLVED by the Senate of the 152<sup>nd</sup> General Assembly that we urge our federal delegation to support  
36 legislation to deschedule marijuana.

#### SYNOPSIS

This Senate Resolution urges our federal delegation to support legislation to deschedule marijuana.

Author: Senator Buckson