

HB1076



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB1076

Introduced 1/30/2013, by Rep. Lou Lang

SYNOPSIS AS INTRODUCED:

New Act

Creates the Compassionate Use of Medical Cannabis Pilot Program Act. Contains only a short title provision and a section on findings. Makes findings on the medical use of cannabis to treat medical conditions.

LRB098 02717 MLW 32725 b

A BILL FOR

1 AN ACT concerning alternative treatment for serious
2 diseases causing chronic pain and debilitating conditions.

3 **Be it enacted by the People of the State of Illinois,**
4 **represented in the General Assembly:**

5 Section 1. Short title. This Act may be cited as the
6 Compassionate Use of Medical Cannabis Pilot Program Act.

7 Section 5. Findings.

8 (a) Modern medical research has discovered beneficial uses
9 for cannabis in treating or alleviating the pain, nausea, and
10 other symptoms associated with a variety of debilitating
11 medical conditions, as found by the National Academy of
12 Sciences' Institute of Medicine in March 1999.

13 (b) Subsequent studies since the 1999 National Academy of
14 Sciences' Institute of Medicine report continue to show the
15 therapeutic value of cannabis in treating a wide array of
16 debilitating medical conditions, including increasing the
17 chances of patients finishing their treatments for HIV/AIDS and
18 hepatitis C.

19 (c) Data from the Federal Bureau of Investigation's Uniform
20 Crime Reports and the Compendium of Federal Justice Statistics
21 show that approximately 99 out of every 100 cannabis arrests in
22 the U.S. are made under state law, rather than under federal
23 law. Consequently, changing state law will have the practical

1 effect of protecting from arrest the vast majority of seriously
2 ill people who have a medical need to use cannabis.

3 (d) Although federal law currently prohibits any use of
4 cannabis except under very limited circumstances, Alaska,
5 California, Colorado, Hawaii, Maine, Michigan, Montana,
6 Nevada, New Mexico, Oregon, Vermont, Rhode Island, and
7 Washington have removed state-level criminal penalties from
8 the medical use and cultivation of cannabis. Illinois joins in
9 this effort for the health and welfare of its citizens.

10 (e) States are not required to enforce federal law or
11 prosecute people for engaging in activities prohibited by
12 federal law. Therefore, compliance with this Act does not put
13 the State of Illinois in violation of federal law.

14 (f) State law should make a distinction between the medical
15 and non-medical uses of cannabis. Hence, the purpose of this
16 Act is to protect patients with debilitating medical
17 conditions, as well as their physicians and primary caregivers,
18 from arrest and prosecution, criminal and other penalties, and
19 property forfeiture if these patients engage in the medical use
20 of cannabis.

21 (g) The people of the State of Illinois declare that they
22 enact this Act pursuant to the police power to protect the
23 health of its citizens that is reserved to the State of
24 Illinois and its people under the 10th Amendment to the United
25 States Constitution.