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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE RESOLUTION

No. 253 Session of  
2018

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INTRODUCED BY FOLMER, SCARNATI, VULAKOVICH, BARTOLOTTA, STEFANO,  
SCAVELLO, RESCHENTHALER, BOSCOLA, YAW AND WHITE,  
JANUARY 19, 2018

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REFERRED TO STATE GOVERNMENT, JANUARY 19, 2018

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A RESOLUTION

1 Urging the Congress of the United States to amend the Gun  
2 Control Act of 1968 to protect the constitutional rights of  
3 medical cannabis users.

4 WHEREAS, In 1968, the Congress of the United States passed  
5 the Gun Control Act of 1968 (Public Law 90-618, 82 Stat. 1213)  
6 to regulate the firearms industry and firearms owners; and

7 WHEREAS, In 1970, the Congress of the United States passed  
8 the Controlled Substances Act (Public Law 91-513, 84 Stat.  
9 1236), which designates cannabis in the most restrictive  
10 category as a Schedule I drug; and

11 WHEREAS, In 1993, the Brady Handgun Violence Prevention Act  
12 (Public Law 103-159, 107 Stat. 1536) amended the Gun Control Act  
13 of 1968 by restricting individuals who use controlled substances  
14 from owning firearms and ammunition; and

15 WHEREAS, The Federal Bureau of Alcohol, Tobacco, Firearms and  
16 Explosives has issued guidance on restricting individuals who  
17 use cannabis from owning firearms and ammunition; and

18 WHEREAS, Section 102 of the act of April 17, 2016 (P.L.84,

1 No.16), known as the Medical Marijuana Act, states that  
2 "Scientific evidence suggests that medical marijuana is one  
3 potential therapy that may mitigate suffering in some patients  
4 and also enhance quality of life"; and

5 WHEREAS, The Second Amendment of the Constitution of the  
6 United States guarantees "the right of the people to keep and  
7 bear arms"; and

8 WHEREAS, The Fifth Amendment of the Constitution of the  
9 United States guarantees that no person shall "be deprived of  
10 life, liberty, or property, without due process of law"; and

11 WHEREAS, The Tenth Amendment of the Constitution of the  
12 United States provides: "The powers not delegated to the United  
13 States by the Constitution, nor prohibited by it to the States,  
14 are reserved to the States respectively, or to the people";  
15 therefore be it

16 RESOLVED, That the Senate of the Commonwealth of Pennsylvania  
17 urge the Congress of the United States to amend the Gun Control  
18 Act of 1968 to protect the constitutional rights of medical  
19 cannabis users; and be it further

20 RESOLVED, That a copy of this resolution be sent to the  
21 President of the United States, the presiding officers of each  
22 house of Congress and to each member of Congress from  
23 Pennsylvania.