



# NHCSL

THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS

## RESOLUTION No. 2021-18

### **Support for the MORE Act to Deschedule Cannabis from the Controlled Substances Act, Expunge Convictions, and other Reparative Reforms**

Reported to the Caucus by the NHCSL Law and Criminal Justice Task Force  
Rep. Kerry Tipper (CO), Chair

**Sponsored by Sen. Daniel A. Ivey-Soto (NM)**

Ratified by the Caucus on March 26, 2022

**WHEREAS**, on December 2018, NHCSL ratified [Resolution 2017-12, Providing a Legal Framework when Jurisdictions Decide to Decriminalize, Commercialize and Tax Cannabis](#), calling in part for the Federal government to reschedule marijuana, whether for medical or recreational uses, so each state could decide its own policy regarding cannabis; and,

**WHEREAS**, we based our call in part on the well-documented “racist, xenophobic, anti-minority and, specifically, anti-Latino animus and scaremongering that led to the prohibition of, and the national crusade against, cannabis/marijuana in the first place, which is an unconstitutional motive to prohibit it” including the racist use of the word marijuana itself, in Spanish, in US laws;<sup>1</sup> and,

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<sup>1</sup> Resolution 2017-12 lists extensive sources. See <https://nhcsl.org/resources/resolutions/2017/2017-12/index.html>

**Support for the MORE Act to Deschedule Cannabis from the CSA and other Reforms**

**WHEREAS**, at the time of our resolution’s ratification, only Alaska, California, Colorado, the District of Columbia, Maine, Massachusetts, Michigan, Nevada, Oregon, Vermont and Washington, had functionally legalized cannabis;<sup>2</sup> and,

**WHEREAS**, since then, several more states, namely Arizona, Connecticut, Illinois, Montana, New Jersey, New Mexico, New York, South Dakota and Virginia, have legalized cannabis, with many of the laws spearheaded by Hispanic state legislators;<sup>3</sup> and,

**WHEREAS**, also since then, the US House of Representatives took up, and, on December 4, 2020, passed<sup>4</sup> (but the Senate failed to pass), the Marijuana Opportunity Reinvestment and Expungement (MORE) Act which sought to:

- replace statutory references to marijuana and marihuana with cannabis,
- remove marijuana from the list of scheduled substances under the Controlled Substances Act,
- eliminate criminal penalties for an individual who manufactures, distributes, or possesses marijuana,
- establish a process to expunge convictions,
- prohibit the denial of benefits on the basis of a cannabis-related conduct or past-convictions,
- establish a trust fund to support various programs and services for individuals and businesses in communities impacted by the war on drugs with a 5% tax on cannabis products to fund it;<sup>5</sup> and,

**WHEREAS**, on May 28, 2021, Rep. Jerry Nadler reintroduced the MORE Act in the current Congress as H.R. 3617, with bipartisan cosponsors.<sup>6</sup>

**THEREFORE, BE IT RESOLVED**, that the National Hispanic Caucus of State Legislators calls on Congress to enact H.R. 3617, the Marijuana Opportunity Reinvestment and Expungement (MORE) Act of 2021, or any substantially similar legislation.

THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS UNANIMOUSLY RATIFIED THIS RESOLUTION ON MARCH 26, 2022, AT ITS ANNUAL MEETING IN WASHINGTON, DC.

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<sup>2</sup> See <https://norml.org/laws/legalization/>. In addition, several other states have decriminalized cannabis to some extent. See <https://norml.org/laws/decriminalization/>

<sup>3</sup> See for example in New Jersey: [A21](#), sponsored by Asw. Annette Quijano and others; [S2535](#), sponsored by Sen. Teresa Ruiz and others; and [S3454](#), sponsored by Sen. Nilsa Cruz-Perez and others.

<sup>4</sup> Receiving votes from both parties.

<sup>5</sup> <https://www.congress.gov/bill/116th-congress/house-bill/3884>

<sup>6</sup> <https://www.congress.gov/bill/117th-congress/house-bill/3617/>