



Davis Co-Leads Legislation to Secure Second Amendment Rights of Americans in Jurisdictions with Legal Marijuana Use

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WASHINGTON, D.C. - U.S. Representative Rodney Davis (R-Ill.) is co-leading the Gun Rights And Marijuana (GRAM) Act to secure the Second Amendment rights of Americans living in jurisdictions with legal adult-use and medicinal marijuana. The legislation, H.R. 2830, was introduced last week by Rep. Don Young (R-AK). Also co-leading the legislation is Rep. Brian Mast (R-FL).

“State-legal marijuana use should not be used as a pretext to bar individuals from purchasing or possessing firearms, which is a clear and well-defined Constitutional right,” said Davis. “I’ve long believed that laws regulating the production and use of marijuana should be left to the states, not the federal government. With more and more states legalizing marijuana each year, we have to make sure that we are protecting the Second Amendment rights of Americans who reside in those states and use marijuana legally based on their state’s laws. I’m proud to introduce this bill with Congressman Young and look forward to working with him to move it through Congress.”

"When I was sworn into Congress, I took an oath to defend the Constitution of the United States. That oath does not mean picking and choosing which Amendments to defend; it requires us as Members of Congress to protect the ENTIRE Bill of Rights. I am very proud to introduce the GRAM Act, which takes a critical step to protect our Constitution and secure individual liberty. There are two main pillars that make this legislation important. First, it protects the Second Amendment for individuals seeking to exercise their Constitutional rights. It also defends the Tenth Amendment right of states to determine their own cannabis laws, as Alaska did in 2014," said Young. "Gun ownership is a significant part of Alaska's culture and lifestyle. When my constituents chose to legalize adult-use marijuana, they were not surrendering their Second Amendment rights. At a time when more individuals have been purchasing firearms for self-defense, sportsmanship, hunting, and countless other reasons, we have experienced a surge in state-level cannabis reforms. While we make progress in some areas, it is vital that we do not roll back progress in others. Throughout my career, many pundits and talking heads have described me as one of the most unique Members of Congress, to put it politely. As both Co-Chair of the Cannabis Caucus and a board member of the National Rifle Association, in addition to the fact that I represent a state with legal cannabis, I believe this fight was tailor-made for my experience. The federal government has no business unduly restricting responsible citizens from exercising their rights or restricting states from listening to their constituents and reforming marijuana laws. The GRAM Act bridges this gap. Given that it deals with both gun and marijuana rights, there really is something for those on both sides of the aisle to support. I want to thank my friends, Congressmen Mast and Davis, for their partnership on behalf of our Constitution, states' rights, and individual liberty. I call on my colleagues in both parties to join us in this important effort.”

"It should be up to individual states to determine their own marijuana laws, not the federal government. The Constitution says nothing about marijuana but the Second Amendment clearly outlines every American's right to bear arms," Mast said. "This legislation makes it so individuals who use marijuana in a State that permits legal adult-use are still able to purchase firearms."

Under current law, an individual using recreational or medicinal marijuana in legal jurisdictions can be disqualified from exercising their Second Amendment rights. When attempting to purchase a firearm, individuals must fill out U.S. Department of Justice Form 4473. Question 21 (e) requires the individual to attest that they are “not an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance.” The form clarifies that “The use or possession of marijuana remains unlawful under Federal law regardless of whether it has been legalized or decriminalized,” potentially disqualifying individuals who use state-legal marijuana from gun ownership, or forcing them to risk perjuring themselves.

The GRAM Act provides a simple exemption for those who use marijuana in states or on tribal land where it is otherwise legal. Illinois legalized adult-use cannabis in 2019, and the overwhelming majority of Americans now live in a state with some level of legal use, yet Federal prohibition means their fundamental rights may be revoked. No law-abiding citizen’s Constitutional rights should be threatened by outdated federal policy. The GRAM Act not only protects Second Amendment rights, but also defends a state’s Tenth Amendment right to set their own cannabis policy.

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