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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To provide authority for small cultivators of marijuana and small manufacturers of marijuana products to ship marijuana and marijuana products using the mail, and for other purpose.

IN THE HOUSE OF REPRESENTATIVES

Mr. HUFFMAN introduced the following bill; which was referred to the
Committee on _____

A BILL

To provide authority for small cultivators of marijuana and small manufacturers of marijuana products to ship marijuana and marijuana products using the mail, and for other purpose.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small and Homestead
5 Independent Producers Act of 2022”.

1 **SEC. 2. AUTHORITY FOR SMALL CULTIVATORS AND MANU-**
2 **FACTURERS OF MARIJUANA TO SHIP MARI-**
3 **JUANA IN THE MAIL.**

4 A small cultivator of marijuana and a small manufac-
5 turer of a marijuana product may ship and sell marijuana
6 or a marijuana product to an individual located in that
7 State or another State in which possession of marijuana
8 or the marijuana product is lawful by that individual,
9 using the Postal Service or any private or commercial
10 interstate carrier.

11 **SEC. 3. PREEMPTION.**

12 This Act preempts the laws of any State to the extent
13 that such laws are inconsistent with this Act.

14 **SEC. 4. DEFINITIONS.**

15 In this Act:

16 (1) The term “small cultivator of marijuana”
17 means a person who cultivates one acre or less of
18 mature flowering marijuana plant canopy using out-
19 door cultivation, 22,000 square feet or less of mari-
20 juana plant canopy using greenhouse cultivation, or
21 5,000 square feet or fewer of mature flowering mari-
22 juana plant canopy using indoor cultivation, inclu-
23 sive of all marijuana cultivated by that person.

24 (2) The term “small manufacturer of a mari-
25 juana product” means a person who produces a
26 manufactured marijuana product, including a salve,

1 tincture, edible, or concentrate, with a gross annual
2 revenue of less than \$5,000,000, inclusive of all
3 marijuana product manufactured by that person.

4 (3) The term “person” has the meaning given
5 such term in section 1 of title 1, United States
6 Code.

7 (4) The term “outdoor cultivation” means the
8 cultivation of mature cannabis without the use of ar-
9 tificial lighting or heating in the canopy area at any
10 point in time, and may include the use of light dep-
11 rivation.

12 (5) The term “light deprivation” means the use
13 of any technique to eliminate natural light in order
14 to induce flowering.

15 (6) The term “greenhouse cultivation” means
16 the cultivation of mature cannabis in a structure uti-
17 lizing artificial light at a rate above zero watts per
18 square foot, but no more than six watts per square
19 foot.

20 (7) The term “indoor cultivation” means the
21 cultivation of mature cannabis in a structure with
22 the use of artificial light at a rate above six watts
23 per square foot in the canopy area.

1 (8) The term “canopy” means the area that
2 contains mature cannabis plants at any point in
3 time.

4 (9) The term “mature” means, with respect to
5 a cannabis plant, a cannabis plant that is flowering.

6 **SEC. 5. EFFECTIVE DATE.**

7 This Act shall take effect on the date on which mari-
8 juana is removed from the list of scheduled substances
9 under the Controlled Substances Act and Federal criminal
10 penalties for an individual who manufactures, distributes,
11 or possesses marijuana, are eliminated.