

RESOLUTION NO. 31507

A RESOLUTION AUTHORIZING COUNCILWOMAN DEMETRUS COONROD TO EXECUTE A LETTER TO GOVERNOR BILL LEE ON BEHALF OF THE CITY COUNCIL IN RESPONSE TO THE STATEMENT FROM PRESIDENT BIDEN ON MARIJUANA REFORM.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That it is hereby authorizing Councilwoman Demetrus Coonrod to execute a letter to Governor Bill Lee on behalf of the City Council in response to the Statement from President Biden on marijuana reform.

ADOPTED: February 28, 2023

/mem



Chattanooga Council

1000 Lindsay Street
Chattanooga, TN 37402

DEMETRUS COONROD
Councilwoman, District 9

Phone: (423) 643-7185
Fax: (423) 643-7199

March 1, 2023

Governor Bill Lee
Governor's Office
State Capitol, 1st Floor
600 Dr. Martin L. King, Jr. Blvd.
Nashville, TN 37243

Re: Marijuana Legislative Changes requested by President Biden

Dear Governor Lee:

Tennessee Code Annotated § 39-17-418, which is attached currently, makes it an offense for any person to possess or distribute a small amount of marijuana not in excess of one-half (1/2) ounce in Tennessee as a general matter of state law. President Biden's decision to pardon Americans convicted of simple marijuana possession under federal law has also urged changes in this law and similar laws in other states in a recent press release from the White House on October 6, 2022, urging all Governors to do the same with regard to state offenses, which is also attached. This new press release announces a Presidential pardon for all prior federal offenses of simple possession of marijuana, and the United States Attorney General has been directed to develop an administrative process for the issuance of certificates of pardon to eligible people who were previously convicted under Federal law.

The Chattanooga City Council is aware that the governing bodies of Memphis and Nashville have previously adopted legislation to not arrest or prosecute citizens for simple possession of marijuana in small amounts less than one-half (1/2) ounce although the general state law makes it a criminal offense. President Biden has urged all governors to do the same with regard to state offenses under statutes like T.C.A. § 39-17-418. President Biden has stated that sending people to prison for possessing marijuana has upended too many lives and incarcerated people for conduct that many states no longer prohibit. Criminal records for marijuana possession have also imposed needless barriers to employment, housing, and educational opportunities, and while white, and Black and brown people use marijuana at similar rates, Black and brown people have been arrested, prosecuted, and convicted at disproportionate rates.



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Please consider the action taken by President Biden in this state and continue to regulate important limitations on trafficking, marketing, and under-age sales of THC and CBD consumption which are currently allowed based on certain percentages under Tennessee law.

The City Council is also aware that Tennessee recently enacted a minimal expansion of its medical marijuana law. The law took effect May 27, 2021, and it slightly enlarges the medical conditions for which persons may possess a very limited amount of tetrahydrocannabinol (THC). Previously, Tennessee law allowed only those diagnosed with intractable seizures or epilepsy to possess a limited amount of medical cannabis oil. The new measure allows individuals who have the following medical conditions to possess CBD oil containing less than 0.9% of THC:

- Alzheimer's disease;
- Amyotrophic lateral sclerosis (ALS);
- Cancer, when such disease is diagnosed as end-stage or the treatment produces related wasting illness, nausea and vomiting, or pain;
- Inflammatory bowel disease, including Crohn's disease and ulcerative colitis;
- Epilepsy or seizures;
- Multiple sclerosis;
- Parkinson's disease;
- Human immunodeficiency virus (HIV) or acquired immunodeficiency syndrome (AIDS);
- Sickle cell disease.

The patients diagnosed with a qualifying condition must have a letter from a doctor licensed to practice in Tennessee attesting to the patient's qualifying medical condition, specifying the specific condition, and stating that conventional treatments to address this condition have been ineffective. The law also creates a commission to study the possibility of future medical marijuana legalization. The commission is to prepare recommendations for how best to establish an effective, patient-focused medical marijuana program in Tennessee and include proposed legislation in its recommendations.

The Chattanooga City Council supports review of our current state laws and enabling any taxing authorization for CBD products which are sold legally in Tennessee provided that specific taxes are provided to pay for persons who purchase such products similar to the current alcohol taxes which are imposed on those sales in this state. The City Council would request your guidance and help on developing uniform legal requirements for possession, sales, and taxation on all THC, CBD, and small amounts of marijuana in this state which are uniform with all contiguous states to Tennessee.




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The City Council for Chattanooga has considered this action and has urged this response by Resolution which was passed during a public meeting on February 28, 2023.

Sincerely,

CHATTANOOGA CITY COUNCIL

By: 
Demetrus Coonrod
Councilwoman
District 9

Attachments