

Is Cannabis Banking "SAFE"? Marijuana and Its Secure and Fair Enforcement

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On March 28, 2019, the House Financial Services Committee voted overwhelmingly (45-15) to advance H.R. 1595, known as the Secure and Fair Enforcement (SAFE) Banking Act of 2019 . The bill seeks to protect financial institutions and insurance companies from criminal liability that could result from servicing the marijuana industry in states where it is legal.

Marijuana remains a Schedule 1 illegal substance under the federal Controlled Substances Act, and state legalization has created uncertainty and exposure for federally regulated banks and insurance companies doing business in "legal" marijuana states.

The legislative process is lengthy and complicated, and the bill is likely to change as it passes through the House. The Senate is also working on a similar bill.

Carlton Fields' Cannabis Task Force will continue to monitor the law and provide periodic updates.

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