

116TH CONGRESS  
2D SESSION

# H. R. 6602

To provide assistance under programs relating to COVID–19 of the Small Business Administration to cannabis businesses and their service providers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2020

Mr. BLUMENAUER (for himself, Mr. PERLMUTTER, Mr. CROW, Ms. LEE of California, Mr. DEFazio, Ms. SCHAKOWSKY, Ms. TLAIB, Mr. YOUNG, Ms. NORTON, Mr. NEGUSE, Ms. HAALAND, Ms. DEGETTE, Mr. HUFFMAN, Ms. DELBENE, Ms. PORTER, Ms. JAYAPAL, and Ms. GABBARD) introduced the following bill; which was referred to the Committee on Small Business

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## A BILL

To provide assistance under programs relating to COVID–19 of the Small Business Administration to cannabis businesses and their service providers, and for other purposes.

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 “Emergency Cannabis  
5 Small Business Health and Safety Act”.

1 **SEC. 2. ELIGIBILITY FOR THE PAYCHECK PROTECTION**  
2 **PROGRAM.**

3 Notwithstanding any other provision of law, a busi-  
4 ness shall not be ineligible for assistance under section  
5 7(a)(36) of the Small Business Act (15 U.S.C.  
6 636(a)(36)) on the basis that the business is a cannabis-  
7 related legitimate business or a service provider.

8 **SEC. 3. ELIGIBILITY FOR ECONOMIC INJURY DISASTER**  
9 **LOANS.**

10 Notwithstanding any other provision of law, a busi-  
11 ness shall not be ineligible for assistance under section  
12 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2))  
13 on the basis that the business is a cannabis-related legiti-  
14 mate business or a service provider.

15 **SEC. 4. ELIGIBILITY FOR ECONOMIC INJURY DISASTER**  
16 **LOANS EMERGENCY GRANTS.**

17 Notwithstanding any other provision of law, a busi-  
18 ness shall not be ineligible for emergency EIDL grants  
19 under section 1110 of the CARES Act (Public Law 116-  
20 136) on the basis that the business is a cannabis-related  
21 legitimate business or service provider.

22 **SEC. 5. RULE FOR THE SMALL BUSINESS ADMINISTRATION**  
23 **AND ITS EMPLOYEES.**

24 With respect to providing a loan, emergency advance,  
25 or loan guarantee to a cannabis-related legitimate business  
26 or service provider within a State, political subdivision of

1 a State, or Indian country that allows the cultivation, pro-  
2 duction, manufacture, sale, transportation, display, dis-  
3 pensing, distribution, or purchase of cannabis pursuant to  
4 a law or regulation of such State, political subdivision, or  
5 Indian Tribe that has jurisdiction over the Indian country,  
6 as applicable, the Small Business Administration and the  
7 officers, directors, and employees of the Small Business  
8 Administration, may not be held liable pursuant to any  
9 Federal law or regulation solely for providing a loan or  
10 a loan guarantee to a cannabis-related legitimate business  
11 or a service provider in carrying out the Families First  
12 Coronavirus Response Act (Public Law 116–127) or the  
13 CARES Act (Public Law 116–136).

14 **SEC. 6. DEFINITIONS.**

15 In this Act:

16 (1) CANNABIS.—The term “cannabis” has the  
17 meaning given the term “marihuana” in section 102  
18 of the Controlled Substances Act (21 U.S.C. 802).

19 (2) CANNABIS PRODUCT.—The term “cannabis  
20 product” means any article which contains cannabis,  
21 including an article which is a concentrate, an edi-  
22 ble, a tincture, a cannabis-infused product, or a top-  
23 ical.

24 (3) CANNABIS-RELATED LEGITIMATE BUSI-  
25 NESS.—The term “cannabis-related legitimate busi-

1       ness” means a manufacturer, producer, or any per-  
2       son that—

3               (A) engages in any activity described in  
4               subparagraph (B) pursuant to a law established  
5               by a State or a political subdivision of a State,  
6               as determined by such State or political subdivi-  
7               sion; and

8               (B) participates in any business or orga-  
9               nized activity that involves handling cannabis or  
10              cannabis products, including cultivating, pro-  
11              ducing, manufacturing, selling, transporting,  
12              displaying, dispensing, distributing, or pur-  
13              chasing cannabis or cannabis products.

14             (4) INDIAN COUNTRY.—The term “Indian coun-  
15             try” has the meaning given that term in section  
16             1151 of title 18, United States Code.

17             (5) INDIAN TRIBE.—The term “Indian Tribe”  
18             has the meaning given that term in section 102 of  
19             the Federally Recognized Indian Tribe List Act of  
20             1994 (25 U.S.C. 479a).

21             (6) MANUFACTURER.—The term “manufac-  
22             turer” means a person who manufactures, com-  
23             pounds, converts, processes, prepares, or packages  
24             cannabis or cannabis products.

1           (7) PRODUCER.—The term “producer” means a  
2           person who plants, cultivates, harvests, or in any  
3           way facilitates the natural growth of cannabis.

4           (8) SERVICE PROVIDER.—The term “service  
5           provider”—

6           (A) means a business, organization, or  
7           other person that—

8           (i) sells goods or services to a can-  
9           nabis-related legitimate business; or

10          (ii) provides any business services, in-  
11          cluding the sale or lease of real or any  
12          other property, legal or other licensed serv-  
13          ices, or any other ancillary service, relating  
14          to cannabis; and

15          (B) does not include a business, organiza-  
16          tion, or other person that participates in any  
17          business or organized activity that involves han-  
18          dling cannabis or cannabis products, including  
19          cultivating, producing, manufacturing, selling,  
20          transporting, displaying, dispensing, distrib-  
21          uting, or purchasing cannabis or cannabis prod-  
22          ucts.

23          (9) STATE.—The term “State” means each of  
24          the several States, the District of Columbia, Puerto

1 Rico, and any territory or possession of the United  
2 States.

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