

INDIANA MARIJUANA AMENDMENT

The Indiana Constitution's Bill of Rights shall be amended to alleviate the impacts of past marijuana prohibition, which has caused citizens distress and unwarranted invasions of privacy and personal choice as well as violations of liberty not consistent with Indiana values. Other states have paved the way forward and now it is time for the Indiana Constitution to be amended.

WHEREFORE, the following language shall be added to the Bill of Rights of the State of Indiana and all public officers shall be bound to uphold this amendment.

38. The following are fundamental rights that shall not be infringed in Indiana: production & growth, use, purchase, possession, transport, or sale of marijuana, cannabis, CBD oil, hemp, or any like substance deriving from these. All objects used in enjoying these rights shall also be protected and no law shall prevent their possession, purchase, sale, or use. This shall include all medical uses of marijuana and derivatives, which shall be allowed as an over the counter medicine or prescription medicine. All laws infringing on these rights are now declared unconstitutional. There shall be no taxation on any of these because to

tax would infringe the fundamental rights. Anyone who has previously been convicted of a crime that now is prohibited by this amendment is exonerated and the conviction is removed as though it never existed for all purposes. Additionally, no employer or educational institution or government entity at any level may infringe these rights or discriminate against a person for having exercised these rights and a tort shall be created with full legal and equitable remedies to address any infringement by any private or public entity. This tort shall be known as the **Indiana Marijuana Civil Rights Tort**. The only exceptions are that use while driving may be regulated by law, this being at maximum an infraction, and use on K-12 school properties may be regulated commensurate with regulation of tobacco, violation of marijuana which may be at maximum an infraction. Further, the state may regulate by age, with the fundamental right beginning at the age of 18. However, any violation based on age shall only be punished at most by an infraction. Exercise of these rights shall be protected by all branches of government and all police officers at all levels and no lawyer or judge may be disciplined for exercising these rights. No infraction shall be greater than a \$300 fine. Prosecutions for the infractions shall be done

with maximum privacy using a statewide online system that allows payment by credit card, debit card, or other online means. No public database of the marijuana infractions shall be available to the public or used for any purpose but payment of the fines. Finally, be it declared that exercise of these fundamental rights shall not cease simply because a person is imprisoned and use in prisons shall not be infringed.

The above amendment is proposed by Virginia Attorney Andrew U. D. Straw. andrew@andrewstraw.com