

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 10
OFFERED BY MR. GAETZ OF FLORIDA**

Add at the end of title V the following:

1 **TITLE T—BANKING OF MARI-**
2 **JUANA-RELATED LEGITIMATE**
3 **BUSINESSES**

4 **SEC. 596. MARIJUANA-RELATED LEGITIMATE BUSINESSES.**

5 (a) IN GENERAL.—An appropriate Federal banking
6 agency may not—

7 (1) terminate or limit the deposit insurance or
8 share insurance of a depository institution under the
9 Federal Deposit Insurance Act (12 U.S.C. 1811 et
10 seq.) or the Federal Credit Union Act (12 U.S.C.
11 1751 et seq.) solely because the depository institu-
12 tion provides or has provided financial services to a
13 marijuana-related legitimate business;

14 (2) prohibit, penalize, or otherwise discourage a
15 depository institution from providing financial serv-
16 ices to a marijuana-related legitimate business;

17 (3) recommend, incentivize, or encourage a de-
18 pository institution not to offer financial services to
19 an individual, or to downgrade or cancel the finan-

1 cial services offered to an individual, solely be-
2 cause—

3 (A) the individual is a marijuana-related
4 legitimate business; or

5 (B) the individual later becomes an owner
6 or operator of a marijuana-related legitimate
7 business; and

8 (4) take any adverse or corrective supervisory
9 action with respect to a loan made to an owner or
10 operator of—

11 (A) a marijuana-related legitimate busi-
12 ness, solely because the owner or operator owns
13 or operates a marijuana-related legitimate busi-
14 ness; or

15 (B) real estate or equipment that is leased
16 to a marijuana-related legitimate business, sole-
17 ly because the owner or operator of the real es-
18 tate or equipment leased the equipment or real
19 estate to a marijuana-related legitimate busi-
20 ness.

21 (b) **RULE OF CONSTRUCTION.**—Nothing in this sec-
22 tion shall require a depository institution to provide finan-
23 cial services to a marijuana-related legitimate business.

24 (c) **DEFINITIONS.**—For purposes of this section:

1 (1) APPROPRIATE FEDERAL BANKING AGEN-
2 CY.—The term “appropriate Federal banking agen-
3 cy” means—

4 (A) the appropriate Federal banking agen-
5 cy, as defined under section 3 of the Federal
6 Deposit Insurance Act (12 U.S.C. 1813); and

7 (B) the National Credit Union Administra-
8 tion, in the case of an insured credit union.

9 (2) DEPOSITORY INSTITUTION.—The term “de-
10 pository institution” means—

11 (A) a depository institution, as defined
12 under section 3 of the Federal Deposit Insur-
13 ance Act (12 U.S.C. 1813); and

14 (B) an insured credit union.

15 (3) FINANCIAL SERVICE.—The term “financial
16 service” has the meaning given the term “financial
17 product or service” under section 1002 of the Dodd-
18 Frank Wall Street Reform and Consumer Protection
19 Act (12 U.S.C. 5481).

20 (4) MARIJUANA-RELATED LEGITIMATE BUSI-
21 NESS.—The term “marijuana-related legitimate
22 business” means any person that—

23 (A) participates in any business or orga-
24 nized activity that involves handling marijuana
25 or marijuana products, including cultivating,

1 producing, manufacturing, selling, transporting,
2 displaying, dispensing, distributing, or pur-
3 chasing marijuana or marijuana products; and

4 (B) engages in such activity pursuant to a
5 law or regulation of a State or a political sub-
6 division of a State.

