

[~117H8825]

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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To provide authority for small cultivators of cannabis and small manufacturers of cannabis products to ship cannabis and cannabis products using the mail, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. HUFFMAN introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To provide authority for small cultivators of cannabis and small manufacturers of cannabis products to ship cannabis and cannabis products using the mail, 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 “Small and Homestead  
5       Independent Producers Act of 2025”.

1 **SEC. 2. AUTHORITY FOR SMALL CULTIVATORS AND MANU-**  
2 **FACTURERS OF CANNABIS TO SHIP CAN-**  
3 **NABIS IN THE MAIL.**

4 A small cultivator of cannabis and a small manufac-  
5 turer of a cannabis product located in a State in which  
6 such cultivation or manufacture is lawful by that small  
7 cultivator or small manufacturer, as applicable, may ship  
8 and sell cannabis or a cannabis product to an individual  
9 located in that State or another State in which possession  
10 of cannabis or the cannabis product is lawful by that indi-  
11 vidual, using the United States Postal Service or any pri-  
12 vate or commercial interstate carrier.

13 **SEC. 3. AGE VERIFICATION REQUIREMENTS.**

14 The Postal Service and any private or commercial  
15 interstate carrier that transports cannabis or a cannabis  
16 product, as authorized under section 2, may not deliver  
17 such cannabis or a cannabis product to an individual who  
18 has not attained the age of 21, and shall verify the age  
19 of any individual accepting receipt of such a delivery using  
20 a reliable online age verification service or by obtaining  
21 and examining a copy of a valid, non-expired government-  
22 issued identification, including identification issued by an  
23 Indian Tribe.

24 **SEC. 4. PREEMPTION.**

25 (a) STATES IN WHICH CANNABIS IS UNLAWFUL.—  
26 Nothing in this Act shall be construed to preempt or su-

1   persede any State law that prohibits the manufacture, dis-  
2   tribution, or possession of cannabis for all individuals in  
3   that State, except for the purpose of permitting the inter-  
4   state transport of cannabis through that State to a final  
5   destination in a State in which possession of cannabis is  
6   lawful by the intended recipient.

7           (b) STATES IN WHICH CANNABIS IS LAWFUL.—This  
8   Act preempts the laws of a State that does not prohibit  
9   the manufacture, distribution, or possession of cannabis  
10  for all individuals in that State (except with respect to  
11  age limitations) to the extent that such laws restrict the  
12  interstate or intrastate shipment of cannabis or a cannabis  
13  product directly to an individual with respect to whom the  
14  possession of cannabis or a cannabis product is lawful  
15  under the laws of the State.

16 **SEC. 5. MAILABILITY OF CANNABIS.**

17       Section 1716 of title 18, United States Code, is  
18  amended—

19           (1) by redesignating subsections (h) through (k)  
20       as subsections (i) through (l), respectively; and

21           (2) by inserting after subsection (g) the fol-  
22  lowing:

23       “(h)(1) The Postal Service is authorized and directed  
24  to permit the transmission in the mails, under regulations  
25  to be prescribed by it, of cannabis, to the extent that the

1 mailing is allowable under the Small and Homestead Inde-  
2 pendent Producers Act of 2025.

3 “(2) In this section, the term ‘cannabis’ has the  
4 meaning given the term ‘marijuana’ in section 102 of the  
5 Controlled Substances Act (21 U.S.C. 802).”.

6 **SEC. 6. DEFINITIONS.**

7 In this Act:

8 (1) The term “cannabis” has the meaning given  
9 the term “marijuana” in section 102 of the Con-  
10 trolled Substances Act (21 U.S.C. 802).

11 (2) The term “small cultivator of cannabis”  
12 means a person who cultivates one acre or less of  
13 mature flowering cannabis plant canopy using out-  
14 door cultivation, 22,000 square feet or less of can-  
15 nabis plant canopy using greenhouse cultivation, or  
16 5,000 square feet or fewer of mature flowering can-  
17 nabis plant canopy using indoor cultivation, inclusive  
18 of all cannabis cultivated by that person.

19 (3) The term “small manufacturer of a can-  
20 nabis product” means a person who produces a  
21 manufactured cannabis product, including a salve,  
22 tincture, edible, or concentrate, with a gross annual  
23 revenue of less than \$5,000,000, inclusive of all can-  
24 nabis product manufactured by that person.

1           (4) The term “person” has the meaning given  
2           such term in section 1 of title 1, United States  
3           Code.

4           (5) The term “outdoor cultivation” means the  
5           cultivation of mature cannabis without the use of ar-  
6           tificial lighting or heating in the canopy area at any  
7           point in time, and may include the use of light dep-  
8           rivation.

9           (6) The term “light deprivation” means the use  
10          of any technique to eliminate natural light in order  
11          to induce flowering.

12          (7) The term “greenhouse cultivation” means  
13          the cultivation of mature cannabis in a structure uti-  
14          lizing artificial light at a rate above zero watts per  
15          square foot, but no more than six watts per square  
16          foot.

17          (8) The term “indoor cultivation” means the  
18          cultivation of mature cannabis in a structure with  
19          the use of artificial light at a rate above six watts  
20          per square foot in the canopy area.

21          (9) The term “canopy” means the area that  
22          contains mature cannabis plants at any point in  
23          time.

24          (10) The term “mature” means, with respect to  
25          a cannabis plant, a cannabis plant that is flowering.

1 **SEC. 7. EFFECTIVE DATE.**

2       This Act, and the amendments made by this Act,  
3 shall take effect on the date on which cannabis is removed  
4 from the list of scheduled substances under the Controlled  
5 Substances Act, and Federal criminal penalties for an in-  
6 dividual who manufactures, distributes, or possesses can-  
7 nabis, are eliminated.