

**RESOLUTION NO. 20140626-076**

**WHEREAS**, medical marijuana is currently legal in 22 states and Washington DC; and

**WHEREAS**, there is ample evidence that marijuana is beneficial to people suffering from the chronic and debilitating pain associated with cancer, AIDS and multiple sclerosis, and has also proven effective in alleviating nausea associated with chemotherapy, eye pressure from glaucoma and muscle spasms from neurological disorders; and

**WHEREAS**, The American Nurses Association, American Academy of Family Physicians, Lymphoma Foundation of America, American Preventive Medical Association, American Public Health Association, Gray Panthers, and the *New England Journal of Medicine* have endorsed the medical use of marijuana; and

**WHEREAS**, A recent Scripps-Howard Poll indicated that seventy-five percent of Texans would support legislation allowing people with serious illnesses to use marijuana for medical purposes; and

**WHEREAS**, State Representative Elliott Naishtat will propose a bill in the upcoming legislative session that could create an affirmative defense to prosecution for patients who are being treated by a licensed physician and who use marijuana to ameliorate the effects of a bona fide medical condition, and provide protection for physicians licensed in Texas who discuss with a patient the

use of marijuana as an option to alleviate symptoms associated with a bona fide medical condition; and

**WHEREAS**, a patient, if arrested, would have to prove in court that he or she was suffering from a bona fide medical condition and that a physician had discussed or recommended marijuana as an option to alleviate the symptoms of the condition; and

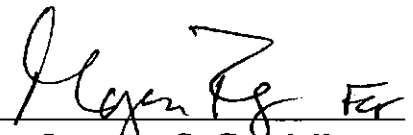
**WHEREAS**, other legislation may be filed during the upcoming legislative session to legalize the use of medical marijuana; and

**WHEREAS**, the City Council has a vested interest in ensuring that Austinites have access to all viable medical options that could address symptoms associated with chronic, painful, or terminal diseases; **NOW, THEREFORE,**  
**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City of Austin's Legislative Program for the 84<sup>th</sup> Texas Legislature is hereby amended to support: (1) legislation that would create an affirmative defense to prosecution for patients who are being treated by a licensed physician and who use medical marijuana; or (2) legislation to legalize the use of medical marijuana.

**ADOPTED:** June 26, 2014

**ATTEST:**

  
Jannette S. Goodall  
City Clerk