TEXAS LEGISLATURE

Marijuana advocates pressure governor

Backers of medical pot want Abbott to add issue to special session.

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Rep. Jason Isaac filed a bill adding medical conditions that would be eligible for pot treatment. RICARDO B. BRAZZIELL / AMERICAN-STATESMAN

Rep. Joe Moody called for possession of small pot amounts to be a civil, not criminal offense. RODOLFO GONZALEZ / AMERICAN-STATESMAN
State Sen. Jose Menendez, D-San Antonio, filed Senate Bill 79 last week, which would legalize marijuana as a treatment in Texas for a wide range of “debilitating medical conditions.” Menendez said it was “very frustrating” that marijuana isn’t more broadly available for medical therapies. DEBORAH CANNON / AMERICAN-STATESMAN

Texas Gov. Greg Abbott’s office staff can expect to hear a lot about marijuana over the next few weeks.

Advocates for broadly legalizing marijuana in Texas for medical purposes, and for decriminalizing low-volume possession of all pot, have begun exhorting supporters to email or call the governor’s office. Their goal — which they acknowledge having only a slim chance of achieving — is to persuade Abbott to add the issues to the agenda for the ongoing 30-day special session of the state Legislature, which will end by Aug. 16.

The governor sets the agendas for special legislative sessions, so Abbott’s acquiescence is the only way any of three new marijuana-related bills can be taken up by state lawmakers during the current session.

“We’re trying to mobilize and call on the governor to add this to the special session,” said Heather Fazio, Texas political director for the Marijuana Policy Project, a national nonprofit focused on reforming marijuana laws. “It’s too important not to use every opportunity we have.”

But Fazio also described the effort as “a long shot,” saying Abbott “doesn’t see it as a priority.”

A spokesman for Abbott didn’t respond to requests for comment Friday.

In 2015, Abbott signed into law what is know as the Compassionate Use Act, legalizing oils made from cannabidiol as a medical treatment — but only for certain patients suffering from a rare form
of epilepsy. Cannabidiol, commonly called CBD, is derived from cannabis plants but doesn’t produce euphoria or a high.

At the time, however, Abbott voiced blanket opposition to broad marijuana legalization, as well to what he called “conventional marijuana” for medical purposes.

State Sen. Jose Menendez, D-San Antonio, filed Senate Bill 79 last week, which would legalize marijuana as a treatment in Texas for a wide range of doctor-validated “debilitating medical conditions.” It’s one of the recently filed bills Fazio’s group is encouraging marijuana advocates to contact the governor about.

“So many people could be helped by (medical marijuana) — it’s very frustrating and aggravating” that it isn’t more broadly available, Menendez said Friday. “I get e-mails daily begging us to make medical marijuana legal.”

During the recent regular session of the Legislature that ended in May, dozens of patients and caregivers from around Texas traveled to the Capitol to advocate for increased availability of medical marijuana, with many delivering wrenching personal testimony to lawmakers regarding their inability to obtain relief using conventional medical treatments. But bills that would have made medical marijuana more accessible in Texas never came up for a vote by either the full Senate or House.

Menendez said he isn’t optimistic Abbott will add the issue to the special session this summer, calling the prospect “unlikely.” Still, he agreed with Fazio that “we’ve got to keep showing that we’re ready to go,” and he encouraged advocates to contact the governor and other elected officials if the issue is important to them.

House Bill 334, filed Wednesday by state Rep. Joe Moody, D-El Paso, would make possession of small amounts of marijuana a civil, not criminal, offense. A similar bill sponsored by Moody cleared a key committee during the regular legislative session and was scheduled for a potentially historic vote by the full House, but it got caught in a logjam of bills as the session came to a close and was never taken up for consideration.

Meanwhile, state Reps. Eddie Lucio III, D-Brownsville, and Jason Isaac, R-Dripping Springs, filed House Bill 85 earlier this month. That bill would add terminal cancer, multiple sclerosis, autism and Parkinson’s disease to the conditions eligible to be treated with medical marijuana in Texas, but wouldn’t make it available for the much wider range of conditions outlined in SB 79.

Regardless, Fazio said her group plans to send Abbott a copy of a video featuring marijuana advocacy by military veterans, medical patients and researchers as part of its attempt to persuade him to add marijuana-related issues to the special session. The video also will be made available online to help mobilize supporters.

Her group has yet to speak to Abbott, “but we do hope to hear from him,” Fazio said. “We’re hoping we are going to be able to change his mind.”

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