



Testimony in Opposition of S.B. 135

Brittany Jones

March 15-16, 2023

Senate Federal & State Affairs Committee

Chair Thompson and members of the Senate Federal & State Affairs Committee, my name is Brittany Jones. I am an attorney and the Director of Policy and Engagement for Kansas Family Voice.

At Kansas Family Voice we believe that the government's purpose is to promote good in society and restrain or eliminate things that harm human flourishing. This generally means we are opposed to the expansion of substances and activities that have a proven harmful impact on families and society as a whole. Marijuana falls into this category.

S.B. 135 should not be called a "medical" marijuana bill as we view it as a trojan horse for full legalization. This is highlighted by the fact that it has a decriminalization component and sets up a structure to for the industry to fully legalize marijuana. We do not believe this is good for Kansas families or our state as a whole.

Some background notes on the federal regulation as they stand. Marijuana is classified as a Schedule I drug under the Controlled Substances Act.¹ Schedule I drugs have the highest potential for abuse and severe psychological dependence. The DEA considers marijuana to have no medical use and to have "a high potential for abuse."² This makes it incredibly difficult for a state to create a truly medical approach to marijuana and means that this bill is thumbing its nose at federal law.

As a pro-family group our main concerns center around this bill's impact on children and especially babies in the womb. Studies show that infants exposed to marijuana in the womb suffer from neurocognitive and neurobehavioral deficits that persist throughout adolescents.³ We're seeing an increase in use in states where it is legalized, especially as women begin to view it as safe.⁴ This means that more babies than ever are being exposed to marijuana.

But the perceived safety that follows legalization leads many women to believe that it is safe to take while pregnant. Marijuana use among pregnant women increased by 62% between

¹ Department of Justice, <https://www.dea.gov/divisions/office-of-asset-recovery/schedules/>.

² *Id.*

³ *Id.*

⁴ Gnofam, M., Impact of marijuana legalization on prevalence of maternal marijuana use and perinatal outcomes 37 AM J PERINATOL 59-60 (2020).



2002 and 2014 in the U.S.⁵ Behavioral abnormalities develop in babies exposed to marijuana in the womb including “hyperactivity, difficulty with executive functions into adolescence, depression even if they are not using, and early adolescent addiction.”⁶ These effects are highly concerning not only for the baby in infancy but also the impacts it could have on the child as he or she grows.

Another major issue with this bill is the impact that edibles have on children. Marijuana edibles often look like regular candy to children. They do not know the difference and packaging requirements are not enough to protect our youngest citizens from these harms, especially when these edibles can contain up to 3.5 grams of THC. There were more than 7,000 reported cases of accidental ingestion by children 5 and under between 2017 and 2021, and cases rose 1,375 percent over that period, the study found.⁷ This is a huge problem for Kansas families and Kansas children.

It should be noted that it is not good governance for the government to seek to benefit off of the harm of its own citizens. As society crumbles so does demand for more government resources which puts an added strain on the limited resources the government already has. This body should not think it’s doing itself any favors by seeking to tax an industry that has caused so many to become even more dependent on the government or that harms our children.

We acknowledge, there are people of good faith on both sides of this issue, but when we are seeing such demonstrated harmful impacts on children, we need to arm our law enforcement with every means necessary to protect Kansas families, not make their job more difficult and not encourage and seek to profit from that behavior. We should absolutely be looking at solutions for some of the negative impacts we have seen in our society of illegal marijuana usage. Let’s look at better ways to assist law enforcement, local communities, and the church to respond to the growing crisis. We believe that legalization only exacerbates and compounds the problems our society is already facing.

Because we need to protect our most precious resource and our future, our children, we ask that you vote down S.B. 135.

Thank you!

⁵ Brown, Q., Trends in Marijuana Use Among Pregnant and Nonpregnant Reproductive-Aged Women, 2002-2014, JAMA (2017).

⁶ Finn, Kenneth, The Hidden Costs of Marijuana Use in Colorado: One Emergency Department’s Experience, The Journal of Globale Drug Policy and Practice (2015).

⁷ Tweet, Marit, Pediatric Edible Cannabis Exposures and Acute Toxicity: 2017–2021, 151 PEDIATRICS 1 (2023).