

This is your new

Legal Guide to the Business of Marijuana

2018 Edition

James T. O'Reilly

Legal Guide to the Business of Marijuana is a new and unique resource for lawyers who represent clients in what has been called the fastest growing industry in the United States. The majority of states have enacted laws legalizing medical marijuana, with nine allowing for recreational use, but marijuana remains illegal under the federal Controlled Substances Act, giving rise to constitutional challenges to these state laws under the doctrine of preemption. As a result, marijuana enterprises must operate in a legal and regulatory environment of uncertainty, and lawyers representing these enterprises must tread carefully when advising clients.

Written by James T. O'Reilly, a lawyer and public health specialist, *Legal Guide to the Business of Marijuana* offers critical guidance to help lawyers effectively represent their clients while steering clear of seen and as yet unseen perils implicit in the continued federal-state conflict. The guide provides discussion and analysis of:

- The complex and varying state regulation of medical and non-medical marijuana, including a survey of state cannabis laws, with summaries and citations;
- Federal law, enforcement, and preemption;
- The various aspects of establishing and managing a marijuana enterprise, including the growing, licensing, labeling, transporting, and distribution of marijuana and related products; and
- The implications of preemption on employment, taxes, and banking.

For lawyers new to representing marijuana clients, the author provides an understanding of the definitions of marijuana and other cannabis products, as well as a review of the policies and political issues that have led to the controversy and uncertainty of the current environment.

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Practising Law Institute
1177 Avenue of the Americas
New York, NY 10036
#241252

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