

Decriminalize the Addict Act

A BILL

To decriminalize drug possession and use, promote harm reduction strategies and access to treatment, campaign to end the war on drugs and eliminate the black market, advocate for rehabilitation and support services over incarceration, and push for legislative change at state and federal levels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Decriminalize the Addict Act."

SEC. 2. FINDINGS AND PURPOSES.

A. Findings. Congress finds the following:

- 1. The war on drugs has failed to reduce drug use and has disproportionately impacted marginalized communities.**
- 2. Decriminalization of drug possession and use can reduce the harms associated with drug prohibition.**
- 3. Harm reduction strategies and access to treatment are effective in reducing drug-related harms.**
- 4. The elimination of the black market for drugs can reduce violence and crime associated with drug trafficking.**
- 5. Rehabilitation and support services are more effective and humane than incarceration for individuals with substance use disorders.**

B. Purposes. The purposes of this Act are to:

- 1. Decriminalize the possession and use of all drugs.**
- 2. Promote harm reduction strategies and increase access to treatment.**
- 3. End the war on drugs and eliminate the black market for drugs.**
- 4. Advocate for rehabilitation and support services over incarceration.**
- 5. Push for legislative change at both the state and federal levels.**

SEC. 3. DECRIMINALIZATION OF DRUG POSSESSION AND USE.

A. Decriminalization.

- 1. Notwithstanding any other provision of law, the possession and use of any controlled substance by an individual shall not be a criminal offense under Federal law.**
- 2. The possession and use of any controlled substance by an individual shall be treated as a civil infraction subject to a fine not exceeding \$100, unless the individual is referred to a treatment or harm reduction program.**

B. Amendments to the Controlled Substances Act.

- 1. Section 404 of the Controlled Substances Act (21 U.S.C. 844) is amended by striking "It shall be unlawful" and all that follows through the end of the section and inserting "It shall be a civil infraction to knowingly or intentionally possess any controlled substance."**

SEC. 4. PROMOTION OF HARM REDUCTION STRATEGIES AND ACCESS TO TREATMENT.

A. Harm Reduction Programs.

- 1. The Secretary of Health and Human Services shall establish and expand programs that provide harm reduction services, including but not limited to: a. Needle exchange programs. b. Safe consumption spaces. c. Access to naloxone and other overdose prevention medications. d. Drug checking services.**

B. Access to Treatment.

- 1. The Secretary of Health and Human Services shall ensure that individuals have access to evidence-based treatment for substance use disorders, including medication-assisted treatment, counseling, and other supportive services.**
- 2. Grants shall be made available to states and localities to expand access to treatment and harm reduction services.**

SEC. 5. CAMPAIGN TO END THE WAR ON DRUGS AND ELIMINATE THE BLACK MARKET.

A. Public Awareness Campaign.

- 1. The Secretary of Health and Human Services, in consultation with other relevant federal agencies, shall conduct a public awareness campaign to educate the public about the harms of drug prohibition and the benefits of decriminalization and harm reduction.**

B. Black Market Elimination.

- 1. The Attorney General shall develop and implement strategies to eliminate the black market for drugs, including measures to reduce the demand for illicit drugs through decriminalization and increased access to legal and regulated substances for medical and recreational use.**

C. Abolition of the Drug Enforcement Agency

- 1. The Drug Enforcement Agency (DEA) shall be abolished 180 days after the date of enactment of this Act.**
- 2. All functions, assets, and personnel of the DEA shall be transferred to the Department of Health and Human Services for the purpose of supporting harm reduction, treatment, and public health initiatives. DEA law enforcement operations will cease.**
- 3. The Secretary of Health and Human Services, in consultation with the Office of Management and Budget, shall develop a plan for the orderly transfer of functions, assets, and personnel from the DEA to the Department of Health and Human Services.**

SEC. 6. ADVOCACY FOR REHABILITATION AND SUPPORT SERVICES OVER INCARCERATION.

A. Policy Shift.

- 1. It shall be the policy of the United States to prioritize rehabilitation and support services over incarceration for individuals with substance use disorders.**
- 2. The Attorney General shall review and revise federal sentencing guidelines to align with this policy.**

B. Support Services.

- 1. The Secretary of Health and Human Services shall establish and expand support services for individuals with substance use disorders, including housing, employment assistance, and mental health services.**

SEC. 7. LEGISLATIVE CHANGE AT STATE AND FEDERAL LEVELS.

A. State Legislation.

- 1. The Attorney General shall provide guidance and support to states to enact legislation consistent with the provisions of this Act.**
- 2. States shall be encouraged to decriminalize drug possession and use, promote harm reduction strategies, and prioritize rehabilitation and support services.**

B. Federal Legislation.

- 1. The Attorney General and the Secretary of Health and Human Services shall review existing federal laws and regulations related to drug policy and propose amendments to align with the provisions of this Act.**
- 2. Congress shall consider and enact additional legislation as necessary to further the purposes of this Act.**

SEC. 8. FUNDING.

A. Authorization of Appropriations.

- 1. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.**
- 2. Funds appropriated under this section shall be used to support harm reduction programs, treatment services, public awareness campaigns, and other activities authorized by this Act.**

SEC. 9. EFFECTIVE DATE.

This Act shall take effect 180 days after the date of enactment.

SEC. 10. SEVERABILITY.

If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.