

## Update on the cannabis regulation in Mexico

### I. Cannabis Regulation in Mexico

Legislators requested a deadline extension for the regulation of cannabis. Then in a private session, the Plenum of Supreme Court of Justice determined to extend the deadline granted to the Congress of the Union on October 31, 2019 regarding the term established in the third paragraph of the second section of the article 107 of the Mexican Constitution that states that when the unconstitutionality of a general rule is determined, the Supreme Court of Justice of the Nation will notify the issuing authority.

It was notified by the SGA/MFEN/287/2020 notice published on April 17, 2020, the Minister President of the Supreme Court of Justice, notified an extension for the regulation of cannabis, which had a deadline by April 30. Now they must end prohibition by December 15.

The Supreme Court originally set an October 2019 deadline, but the Senate received an “exceptional and one-time only” extension. The new extension granted by the Supreme Court of Justice for the approval of the regulation of cannabis will expire on the last day of the ordinary session period which starts in September and ends on December 15, 2020. However, the new extension is not promising or encouraging for those convicted as a consequence of the crime of simple possession of more than 5gr. of cannabis. Likewise, for those who seek medical use and those who seek to make use of their right to the free development of personality as determined by the Supreme Court of Justice, such right is the recognition of the State on natural faculty of the person to be as they want to be, free of any coercion or unjustified controls, in order to meet the goals or objectives that have been set, according to their values, ideas, expectations, etc.

This extension will be the last one for the expedition of cannabis regulation. Therefore, it will bring legal certainty for companies in the cannabis industry. However, the legislative process is long and surely the other political parties will make changes to the bill by the time they vote in the Senate Plenum; nevertheless, the ruling party MORENA can approve it because they hold the majority in the Senate. Once the bill is approved in the Senate, it will go to the Chamber of Deputies for discussion. The Chamber of Deputies will receive the minutes of the opinion with a draft decree and will carry out the same procedure of study, opinion, discussion and approval followed by the Senate.

If examined again and approved by the absolute majority of the members present, it will return to the House that rejected it, they will take it again into consideration; and if it is approved by the same majority, it will go to the President for publication, but if it fails, it will not be able to appear again in the same period of sessions. If the bill was partially rejected or modified or added by the Chamber of Deputies, the new discussion in the Chamber of Senators will deal only with what is discarded or on the reforms or additions, without being able to alter in any way the approved articles.

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If you require additional information or have any doubts about the content, please contact any of the following members of our team, who will be happy to advise you.

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