

113TH CONGRESS  
1ST SESSION

# S. 359

To amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2013

Mr. WYDEN (for himself, Mr. PAUL, Mr. McCONNELL, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Industrial Hemp  
5 Farming Act of 2013”.

6 **SEC. 2. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINI-**  
7 **TION OF MARIHUANA.**

8 Section 102 of the Controlled Substances Act (21  
9 U.S.C. 802) is amended—

1 (1) in paragraph (16)—

2 (A) by striking “(16) The” and inserting

3 “(16)(A) The”; and

4 (B) by adding at the end the following:

5 “(B) The term ‘marihuana’ does not include in-  
6 dustrial hemp.”; and

7 (2) by adding at the end the following:

8 “(57) The term ‘industrial hemp’ means the  
9 plant *Cannabis sativa* L. and any part of such plant,  
10 whether growing or not, with a delta-9  
11 tetrahydrocannabinol concentration of not more than  
12 0.3 percent on a dry weight basis.”.

13 **SEC. 3. INDUSTRIAL HEMP DETERMINATION BY STATES.**

14 Section 201 of the Controlled Substances Act (21  
15 U.S.C. 811) is amended by adding at the end the fol-  
16 lowing:

17 “(i) INDUSTRIAL HEMP DETERMINATION.—If a per-  
18 son grows or processes *Cannabis sativa* L. for purposes  
19 of making industrial hemp in accordance with State law,  
20 the *Cannabis sativa* L. shall be deemed to meet the con-  
21 centration limitation under section 102(57), unless the At-  
22 torney General determines that the State law is not rea-  
23 sonably calculated to comply with section 102(57).”.

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