

HOUSE BILL 1392

By Faison

AN ACT to amend Tennessee Code Annotated, Title 39;
Title 43; Title 53 and Title 67, relative to industrial
hemp.

WHEREAS, mankind has cultivated hemp as a source of fiber for thousands of years;
and

WHEREAS, modern production methods have utilized hemp's oilseed to make high-
grade food and beauty products. The stalks produce fiber and cellulose for everything from
automotive parts and fine clothing to building products and fuel; and

WHEREAS, the states of Colorado, Kentucky, Maine, Montana, North Dakota, Oregon,
Vermont, Washington and West Virginia have defined industrial hemp as a distinct agricultural
crop and removed barriers to its production; and

WHEREAS, a bipartisan coalition of members of Congress is sponsoring the Industrial
Hemp Farming Act (H.R. 525) in the United States House of Representatives; and

WHEREAS, in the summer of 2013, the attorney general for the United States issued a
directive instructing the federal department of justice not to enforce federal drug laws
concerning cannabis in states that have approved the medical or recreational use of marijuana;
now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-402, is amended by adding
the following language immediately preceding the semicolon at the conclusion of the existing
language in the definition of "marijuana" contained in subdivision (16):

. "Marijuana" also does not include industrial hemp, as defined in § 43-26-102

SECTION 2. Tennessee Code Annotated, Section 39-17-415, is amended by adding the following language as a new subsection:

(c) Nothing in this section shall be construed to categorize industrial hemp, as defined in § 43-26-102, as a controlled substance.

SECTION 3. Tennessee Code Annotated, Section 43-26-102, is amended by adding the language “industrial hemp;” between the language “grasses;” and the word “trees” in the definition of “farm product” contained in subdivision (3).

SECTION 4. Tennessee Code Annotated, Section 43-26-102, is further amended by adding the following language as a new, appropriately designated subdivision:

() “Industrial hemp” means the plant *cannabis sativa* L. and any part of such plant with a delta-9 tetrahydrocannabinol concentration of not more than three tenths of one percent (0.3%) on a dry weight basis; provided, however, that any cultivated, growing *cannabis sativa* L. crop that comprises a surface area of less than five (5) acres at the time that such crop is planted is marijuana, as defined by § 39-17-402, and not industrial hemp, regardless of the delta-9 tetrahydrocannabinol concentration of the plants comprising such crop. Nothing in this title or title 39, chapter 17, part 4, shall be construed to prohibit the development, sale, or possession of, or research relative to, any strain or variety of industrial hemp;

SECTION 5. Tennessee Code Annotated, Section 43-37-103, is amended by deleting all of the existing language in the section and by substituting instead the following language:

Nothing in this chapter shall be construed to authorize the development of or research relative to any strain or variety of cannabis other than industrial hemp, as defined in § 43-26-102.

SECTION 6. Tennessee Code Annotated, Section 67-4-2802, is amended by adding the following immediately preceding the semicolon at the conclusion of the existing language in the definition of “marijuana” contained in subdivision (7):

. "Marijuana" does not include industrial hemp, as defined in § 43-26-102

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.