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(Original Signature of Member)

109TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

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 HOUSE OF REPRESENTATIVES**

Mr. PAUL introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**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. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINI-**  
4 **NITION OF MARIHUANA.**

5 Paragraph (16) of section 102 of the Controlled Sub-  
6 stances Act (21 U.S.C. 802(16)) is amended—



1 (1) by striking “(16)” at the beginning and in-  
2 serting “(16)(A)”; and

3 (2) by adding at the end the following new sub-  
4 paragraph:

5 “(B) The term ‘marihuana’ does not include indus-  
6 trial hemp. As used in the preceding sentence, the term  
7 ‘industrial hemp’ means the plant *Cannabis sativa* L. and  
8 any part of such plant, whether growing or not, with a  
9 delta-9 tetrahydrocannabinol concentration that does not  
10 exceed 0.3 percent on a dry weight basis.”.

11 **SEC. 2. INDUSTRIAL HEMP DETERMINATION TO BE MADE**  
12 **BY STATES.**

13 Section 201 of the Controlled Substances Act (21  
14 U.S.C. 811) is amended by adding at the end the following  
15 new subsection:

16 “(i) **INDUSTRIAL HEMP DETERMINATION TO BE**  
17 **MADE BY STATES.**—In any criminal action, civil action,  
18 or administrative proceeding, a State regulating the grow-  
19 ing and processing of industrial hemp under State law  
20 shall have exclusive authority to determine whether any  
21 such plant meets the concentration limitation set forth in  
22 subparagraph (B) of paragraph (16) of section 102 and  
23 such determination shall be conclusive and binding.”.

