

115TH 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. COMER introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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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 2017”.

6 **SEC. 2. FINDING.**

7 The Congress finds that industrial hemp is a non-  
8 narcotic agricultural commodity that is used in tens of  
9 thousands of legal and legitimate products

1 **SEC. 3. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINI-**  
2 **TION OF MARIHUANA.**

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

5 (1) in paragraph (16)—

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

7 “(16)(A) The”; and

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

9 “(B) The term ‘marihuana’ does not include in-  
10 dustrial hemp or research hemp.”; and

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

12 “(57) The term ‘industrial hemp’ means the  
13 plant *Cannabis sativa* L. and any part or derivative  
14 of such plant (including viable seeds), whether grow-  
15 ing or not—

16 “(A) no part of which has a delta-9  
17 tetrahydrocannabinol concentration of more  
18 than 0.3 percent on a dry weight basis;

19 “(B) the production, storage, distribution,  
20 or use of which is lawful under the law of the  
21 State or of the tribe having jurisdiction over the  
22 area of Indian country (as defined in section  
23 1151 of title 18, United States Code) such con-  
24 duct occurs; and

25 “(C) with regard to the production, stor-  
26 age, distribution, or use of which the State in

1           which such conduct occurs or the tribe having  
2           jurisdiction over the area of Indian country (as  
3           defined in section 1151 of title 18, United  
4           States Code) in which such conduct occurs sub-  
5           mits to the Attorney General, upon the Attor-  
6           ney General’s request,—

7                   “(i) the name of the person;

8                   “(ii) the period of time for which such  
9                   conduct is authorized; and

10                   “(iii) information pertaining to each  
11                   location, including the specific latitude and  
12                   longitude, where the conduct is authorized  
13                   to occur.

14           The term does not include any such plant, or  
15           part or derivative thereof, that has been altered  
16           so as to increase the delta-9  
17           tetrahydrocannabinol concentration above the  
18           limits specified in subparagraph (A).

19           “(58) The term ‘research hemp’ means the  
20           plant *Cannabis sativa* L. and any part or derivative  
21           of such plant (including viable seeds), whether grow-  
22           ing or not, that would be industrial hemp except  
23           that such, plant, part, or derivative has a delta-9  
24           tetrahydrocannabinol concentration of more than 0.3

1       percent on a dry weight basis but less than 0.6 per-  
2       cent on a dry weight basis, and that—

3               “(A) is used in scientific, medical or indus-  
4       trial research conducted by an institution of  
5       higher education (as defined in section 101 of  
6       the Higher Education Act of 1965 (20 U.S.C.  
7       1001)) or a State department of agriculture;  
8       and

9               “(B) may not been introduced into com-  
10       merce.”.

11 **SEC. 4. ADMINISTRATIVE INSPECTIONS.**

12       Section 510 of the Controlled Substances Act (21  
13 U.S.C. 880) is amended—

14               (1) in subsection (a)—

15                       (A) in paragraph (1), by striking “and” at  
16       the end;

17                       (B) in paragraph (2), by striking the pe-  
18       riod at the end and inserting “; and”; and

19                       (C) by inserting after paragraph (2) the  
20       following:

21                       “(3) places where industrial hemp or research  
22       hemp is produced, stored, distributed, or used.”.

23               (2) in subsection (d), by adding at the end the  
24       following:

1           “(5) Any land on which industrial hemp or re-  
2           search hemp is produced, stored, distributed, or used  
3           shall be subject to inspection, in accordance with the  
4           provisions of this section, for compliance with the  
5           provisions of this Act.”.

6 **SEC. 5. RULE OF CONSTRUCTION.**

7           Nothing in this Act, or the amendments made by this  
8 Act, may be construed—

9           (1) to alter the provisions of the Federal Food,  
10          Drug, and Cosmetic Act that pertain to an unap-  
11          proved, adulterated, or misbranded drug or food; or

12          (2) to require a retailer or end user of a fin-  
13          ished product that contains industrial hemp to com-  
14          ply with the reporting requirement under section  
15          102(57)(C) of the Controlled Substances Act.

16 **SEC. 6. NO ADDITIONAL FUNDS AUTHORIZED.**

17          No additional funds are authorized to carry out the  
18 requirements of this Act and the amendments made by  
19 this Act. Such requirements shall be carried out using  
20 amounts otherwise authorized.