

Amendment No. 1 to SB2495

Southerland  
Signature of Sponsor

**AMEND Senate Bill No. 2495**

**House Bill No. 2445\***

By deleting all of the language after the enacting clause and substituting the following:

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 § 43-41-101; provided, however, that industrial hemp shall be deemed marijuana in circumstances where such classification is required by § 43-41-103

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 § 43-41-101, as a controlled substance; provided, however, that industrial hemp shall be categorized as a controlled substance in circumstances where such classification is required by § 43-41-103.

SECTION 3. Tennessee Code Annotated, Section 43-26-102, is amended by adding the language "industrial hemp, as defined in § 43-41-101;" between the language "grasses;" and the word "trees" in the definition of "farm product" contained in subdivision (3).

SECTION 4. Tennessee Code Annotated, Title 43, is amended by adding the following as a new chapter:

43-41-101. As used in this chapter, "industrial hemp" means the plants and plant parts of the genera cannabis that do not contain a delta-9

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tetrahydrocannabinol (THC) concentration more than three tenths of one percent (0.3%) on a dry mass basis, grown from seed certified by a certifying agency, as defined by § 43-10-103.

43-41-102.

(a) The department of agriculture shall regulate the growing of industrial hemp, as defined in § 43-41-101, in this state.

(b) The department shall issue licenses to persons who apply to the department for a license to grow industrial hemp.

(c) The department shall promulgate rules, pursuant to the Uniform Administrative Procedures Act, compiled at title 4, chapter 5, concerning industrial hemp production within one hundred and twenty (120) days of this act becoming law, including rules establishing reasonable license fees in an amount sufficient to offset the cost of implementing and administering the industrial hemp program in this state.

(d) All revenue collected from industrial hemp license fees shall be used exclusively for the regulation of the growing of industrial hemp in this state.

43-41-103. No person shall grow industrial hemp in this state without first obtaining a license from the department. The department is authorized to inspect the hemp crop of any person who is licensed to grow industrial hemp to ensure that the licensee is in compliance with this chapter and any rules promulgated

pursuant to this chapter. Any industrial hemp crop that is grown without a license will be deemed to be marijuana under § 39-17-415.

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 by § 43-41-101.

SECTION 6. Tennessee Code Annotated, Section 67-4-2802, 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 (7):

. "Marijuana" does not include industrial hemp, as defined in § 43-41-101

SECTION 7. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it, and shall take effect on July 1, 2014, for all other purposes, the public welfare requiring it.