

State of Tennessee

PUBLIC CHAPTER NO. 891

HOUSE BILL NO. 2032

By Representatives Faison, Miller, Todd, Hardaway

Substituted for: Senate Bill No. 1611

By Senators Niceley, Gardenhire

AN ACT to amend Tennessee Code Annotated, Title 39; Title 43 and Chapter 936 of the Public Acts of 2014, relative to industrial hemp.

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

SECTION 1. Tennessee Code Annotated, Section 43-26-102, is amended by deleting subdivision (4) and substituting the following:

(4) "Industrial hemp" means the plants and plant parts of the genera cannabis that do not contain a delta-9 tetrahydrocannabinol (THC) concentration more than three tenths of one percent (0.3%) on a dry mass basis and that are either grown from seed certified by a certifying agency, as defined in § 43-10-103, or grown by an institution of higher education in this state that offers a baccalaureate or post-graduate level program of study in agricultural sciences.

SECTION 2. Tennessee Code Annotated, Section 43-26-103, is amended by deleting subsections (e) and (f) and substituting the following:

(e) The department of agriculture shall promulgate rules concerning industrial hemp production and processing, including rules establishing reasonable fees for licenses or permits to defray the cost of implementing and administering the industrial hemp program in this state on an ongoing basis. All revenue collected from fees established pursuant to this subsection (e) shall be used exclusively for the administration of the industrial hemp program and regulation of industrial hemp.

(f) Any person who cultivates an industrial hemp crop of any size, or who processes industrial hemp, in this state shall obtain an annual license from the department of agriculture. In order to obtain an industrial hemp license, the grower or processor shall agree that the department has the right to inspect the industrial hemp crop or inventory for compliance. If any grower or processor fails to obtain a license required by this section, any industrial hemp within the person's possession or control shall be considered marijuana under § 39-17-415.

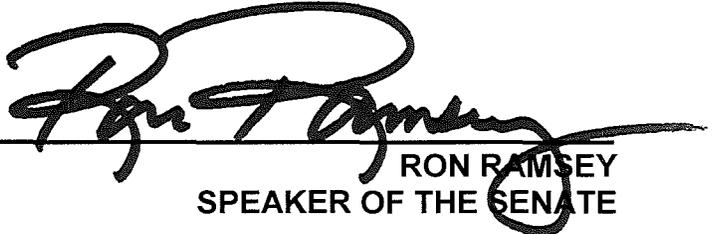
SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 19, 2016



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 27th day of April 2016



BILL HASLAM, GOVERNOR