

116TH CONGRESS
2D SESSION

S. 5017

To amend the Agricultural Marketing Act of 1946 to modify the definition of hemp, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2020

Mr. PAUL introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Agricultural Marketing Act of 1946 to modify the definition of hemp, 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 “Hemp Economic Mobi-
5 lization Plan Act of 2020” or the “HEMP Act of 2020”.

6 **SEC. 2. HEMP PRODUCTION.**

7 (a) DEFINITION OF HEMP.—

8 (1) IN GENERAL.—Section 297A(1) of the Agri-
9 cultural Marketing Act of 1946 (7 U.S.C. 1639o(1))

1 is amended by striking “0.3 percent” and inserting
2 “1 percent”.

3 (2) CONFORMING AMENDMENT.—Section
4 297B(e)(2)(A)(iii) of the Agricultural Marketing Act
5 of 1946 (7 U.S.C. 1639p(e)(2)(A)(iii)) is amended
6 by striking “0.3 percent” and inserting “1 percent”.

7 (b) TESTING FOR DELTA-9 THC; SEED CERTIFI-
8 CATES DURING TRANSPORT.—

9 (1) STATE AND TRIBAL PLANS.—Section
10 297B(a)(2)(A) of the Agricultural Marketing Act of
11 1946 (7 U.S.C. 1639p(a)(2)(A)) is amended—

12 (A) in clause (ii)—

13 (i) by inserting “the measurement of
14 uncertainty of which is not greater than
15 0.075 percent,” after “methods,”; and

16 (ii) by striking “hemp” and inserting
17 “products derived from hemp plants”;

18 (B) in clause (vi), by striking “and” at the
19 end;

20 (C) by redesignating clause (vii) as clause
21 (viii);

22 (D) by inserting after clause (vi) the fol-
23 lowing:

24 “(vii) a requirement that any person
25 transporting hemp from a producer to a

1 processor shall keep with the shipment of
2 hemp a seed certificate from a laboratory
3 demonstrating that the hemp was grown
4 from genetics containing a delta-9
5 tetrahydrocannabinol concentration of not
6 more than 1 percent on a dry weight basis;
7 and”;

8 (E) in clause (viii) (as so redesignated), by
9 striking “the practices and procedures described
10 in clauses (i) through (vi)” and inserting
11 “clauses (i) through (vii)”.

12 (2) DEPARTMENT OF AGRICULTURE PLAN.—
13 Section 297C(a)(2) of the Agricultural Marketing
14 Act of 1946 (7 U.S.C. 1639q(a)(2)) is amended—

15 (A) in subparagraph (B)—

16 (i) by inserting “the measurement of
17 uncertainty of which is not greater than
18 0.075 percent,” after “methods,”; and

19 (ii) by striking “hemp” and inserting
20 “products derived from hemp plants”;

21 (B) in subparagraph (E), by striking
22 “and” at the end;

23 (C) in subparagraph (F), by striking the
24 period at the end and inserting “; and”;

25 (D) by adding at the end the following:

1 “(G) a requirement that any person trans-
2 porting hemp from a producer to a processor
3 shall keep with the shipment of hemp a seed
4 certificate from a laboratory demonstrating that
5 the hemp was grown from genetics containing a
6 delta-9 tetrahydrocannabinol concentration of
7 not more than 1 percent on a dry weight
8 basis.”.

9 (c) CONFORMING REVISIONS TO REGULATIONS.—
10 Not later than 90 days after the date of enactment of this
11 Act, without regard to the notice and comment provisions
12 of section 553 of title 5, United States Code, the Secretary
13 of Agriculture shall revise part 990 of title 7, Code of Fed-
14 eral Regulations, to make any conforming changes that
15 are necessary as a result of this section and the amend-
16 ments made by this section.

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