

118TH CONGRESS  
2D SESSION

# S. 5153

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

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2024

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

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## 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 2024” or the “HEMP Act of 2024”.

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; DOCUMENTATION  
 8 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:

1 “(vii) a requirement that any person  
2 transporting hemp shall keep with the  
3 shipment of hemp—

4 “(I) a copy of a valid license or  
5 other required authorization from the  
6 State department of agriculture or  
7 Tribal government, as applicable, or a  
8 license from the Secretary, issued to  
9 the producer, as is required to be sub-  
10 mitted to the Secretary under clause  
11 (vi), as applicable, and collected by  
12 the Secretary under section  
13 297C(d)(2)(C); or

14 “(II) a copy of a certificate from  
15 a laboratory demonstrating that the  
16 hemp contains a delta-9  
17 tetrahydrocannabinol concentration of  
18 not more than 1 percent on a dry  
19 weight basis; and”; and

20 (E) in clause (viii) (as so redesignated), by  
21 striking “the practices and procedures described  
22 in clauses (i) through (vi)” and inserting  
23 “clauses (i) through (vii)”.

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

4                   (A) in subparagraph (B)—

5                           (i) by inserting “the measurement of  
 6                           uncertainty of which is not greater than  
 7                           0.075 percent,” after “methods,”; and

8                           (ii) by striking “hemp” and inserting  
 9                           “products derived from hemp plants”;

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

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

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

15                           “(G) a requirement that any person trans-  
 16                           porting hemp shall keep with the shipment of  
 17                           hemp—

18                                   “(i) a copy of a valid license or other  
 19                                   required authorization from a State de-  
 20                                   partment of agriculture or Tribal govern-  
 21                                   ment, as applicable, or a license from the  
 22                                   Secretary, issued to the producer, as is re-  
 23                                   quired to be submitted to the Secretary  
 24                                   under section 297B(a)(2)(A)(vi), as appli-

1 cable, and collected by the Secretary under  
2 subsection (d)(2)(C); or

3 “(ii) a copy of a certificate from a lab-  
4 oratory demonstrating that the hemp con-  
5 tains a delta-9 tetrahydrocannabinol con-  
6 centration of not more than 1 percent on  
7 a dry weight basis.”.

8 (c) CONFORMING REVISIONS TO REGULATIONS.—

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

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