

119TH CONGRESS
2D SESSION

S. 4315

To amend the Agricultural Marketing Act of 1946 to maintain certain State and Tribal laws relating to hemp, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 16 (legislative day, APRIL 14), 2026

Mr. PAUL (for himself, Ms. KLOBUCHAR, and Ms. ERNST) 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 maintain certain State and Tribal laws relating to 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 Safety Enforce-
5 ment Act”.

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

7 (a) DEFINITION OF HEMP.—Section 297A(1) of the
8 Agricultural Marketing Act of 1946 (7 U.S.C. 1639o(1))
9 (as amended by section 781 of the Agriculture, Rural De-

1 velopment, Food and Drug Administration, and Related
 2 Agency Appropriations Act, 2026 (7 U.S.C. 1639o note;
 3 Public Law 119–37)), is amended by adding at the end
 4 the following:

5 “(D) MAINTENANCE OF STATE AND TRIB-
 6 AL LAWS.—Notwithstanding any other provision
 7 of this paragraph, with respect to a State or In-
 8 dian tribe that submits a notice under section
 9 297B(a)(3)(A)(i), the terms ‘hemp’ and ‘hemp-
 10 derived cannabinoid product’ have the meanings
 11 given those terms, or to related terms con-
 12 cerning the plant *Cannabis sativa* L. and prod-
 13 ucts derived therefrom, in State or Tribal law,
 14 except that the State or Indian tribe shall com-
 15 ply with the exclusion from the definition in
 16 subparagraph (C)(iv)(I).”.

17 (b) SELF-REGULATION BY STATES AND INDIAN
 18 TRIBES.—Section 297B of the Agricultural Marketing Act
 19 of 1946 (7 U.S.C. 1639p) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (1), by striking “A
 22 State” and inserting “Except as provided in
 23 paragraph (3)(A), a State”; and

24 (B) in paragraph (3)—

1 (i) by redesignating subparagraphs
 2 (A) and (B) as subparagraphs (B) and
 3 (C), respectively;

4 (ii) by inserting before subparagraph
 5 (B) (as so redesignated) the following:

6 “(A) SELF-REGULATION BY STATES AND
 7 INDIAN TRIBES.—

8 “(i) IN GENERAL.—In lieu of submit-
 9 ting a plan under paragraph (1), a State
 10 or Indian tribe desiring to have primary
 11 regulatory authority over the production of
 12 hemp and hemp-derived cannabinoid prod-
 13 ucts in the State or territory of the Indian
 14 tribe may submit to the Secretary, through
 15 the State department of agriculture (in
 16 consultation with the Governor and chief
 17 law enforcement officer of the State) or the
 18 Tribal government, as applicable, a notice
 19 that the State or Indian tribe elects not to
 20 be subject to this subtitle.

21 “(ii) REQUIREMENT FOR EFFECT.—
 22 On submission of a notice under clause (i)
 23 by a State or Indian tribe, the State or In-
 24 dian tribe shall not be subject to this sub-
 25 title, subject to the condition that the

1 State or Indian tribe shall implement a
2 minimum age requirement for the purchase
3 of hemp-derived cannabinoid products.

4 “(iii) INTERSTATE COMMERCE.—

5 “(I) RULE OF CONSTRUCTION.—

6 Nothing in this subtitle prohibits the
7 interstate commerce of hemp or hemp-
8 derived cannabinoid products to or
9 from a State or territory of an Indian
10 tribe that is not subject to this sub-
11 title pursuant to clause (ii).

12 “(II) TRANSPORTATION.—No

13 State or Indian tribe shall prohibit the
14 interstate commerce of hemp or hemp-
15 derived cannabinoid products to or
16 from a State or territory of an Indian
17 tribe that is not subject to this sub-
18 title pursuant to clause (ii).

19 “(III) BETWEEN CERTAIN

20 STATES AND INDIAN TRIBES.—In the
21 case of the interstate commerce of
22 hemp or hemp-derived cannabinoid
23 products between 2 States, between
24 the territories of 2 Indian tribes, or
25 between a State and the territory of

1 an Indian tribe that are not subject to
 2 this subtitle pursuant to clause (ii),
 3 the hemp or hemp-derived
 4 cannabinoid products shall be required
 5 to comply with the laws (including
 6 regulations) of both States, both In-
 7 dian tribes, or the State and the In-
 8 dian tribe, as applicable.”; and

9 (iii) in subparagraph (B) (as so redes-
 10 ignated), by striking “that—” in the mat-
 11 ter preceding clause (i) and all that follows
 12 through the period at the end of clause (ii)
 13 and inserting “that regulates the produc-
 14 tion of hemp.”; and

15 (2) in subsection (f)(1), by striking “if the pro-
 16 duction” and inserting the following: “if—

17 “(A) the State or Indian tribe is not sub-
 18 ject to this subtitle pursuant to subsection
 19 (a)(3)(A); or

20 “(B) the production”.

21 (c) EXEMPTION FROM DEPARTMENT OF AGRI-
 22 CULTURE PLAN.—Section 297C of the Agricultural Mar-
 23 keting Act of 1946 (7 U.S.C. 1639q) is amended, in sub-
 24 sections (a)(1) and (c)(1), by striking “In the case” each

1 place it appears and inserting “Except as provided in sec-
2 tion 297B(a)(3)(A), in the case”.

3 (d) EFFECTIVE DATE.—The amendments made by
4 this section shall take effect on the effective date of the
5 amendments made by section 781 of the Agriculture,
6 Rural Development, Food and Drug Administration, and
7 Related Agency Appropriations Act, 2026 (7 U.S.C.
8 1639o note; Public Law 119–37).

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