

SENATE BILL 2224

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 39;  
Title 40, Chapter 33; Title 43; Title 53 and Section  
67-4-2802, relative to industrial hemp.

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

SECTION 1. Tennessee Code Annotated, Section 39-11-704, is amended by adding the following as a new subsection:

(e) The following types of property are not subject to forfeiture under § 39-11-703 based solely on their composition:

(1) Industrial hemp, as defined in § 43-26-102;

(2) Any isolates of industrial hemp other than delta-9 tetrahydrocannabinol (THC);

(3) Any industrial hemp-derived products that do not contain more than three-tenths of one percent (0.3%) of delta-9 tetrahydrocannabinol (THC); and

(4) Cannabidiol, with less than three-tenths of one percent (0.3%) of tetrahydrocannabinol, that is sourced from industrial hemp.

SECTION 2. Tennessee Code Annotated, Section 39-17-402(16)(C), is amended by deleting the subdivision and substituting the following:

(C) The term "marijuana" does not include the following:

(i) Industrial hemp, as defined in § 43-26-102;

(ii) Any isolates of industrial hemp other than delta-9 tetrahydrocannabinol (THC);

(iii) Any industrial-hemp-derived products that do not contain more than three-tenths of one percent (0.3%) of delta-9 tetrahydrocannabinol (THC); and

(iv) Cannabidiol, with less than three-tenths of one percent (0.3%) of tetrahydrocannabinol, that is sourced from industrial hemp;

SECTION 3. Tennessee Code Annotated, Section 39-17-403(f), is amended by deleting the subsection and substituting the following:

(f) The commissioner shall exclude the following from a schedule:

(1) Industrial hemp, as defined in § 43-26-102;

(2) Any isolates of industrial hemp other than delta-9 tetrahydrocannabinol (THC);

(3) Any industrial-hemp-derived products that do not contain more than three-tenths of one percent (0.3%) of delta-9 tetrahydrocannabinol (THC);

(4) Cannabidiol, with less than three-tenths of one percent (0.3%) of tetrahydrocannabinol, that is sourced from industrial hemp; and

(5) Any nonnarcotic substance from a schedule if the substance may, under the Federal Food, Drug, and Cosmetic Act, compiled in 21 U.S.C. § 301 et seq., and the laws of this state, be lawfully sold over the counter without a prescription.

SECTION 4. Tennessee Code Annotated, Section 39-17-415(c), is amended by deleting the subsection and substituting the following:

(c) Nothing in this section shall be construed to categorize the following as a controlled substance:

(1) Industrial hemp, as defined in § 43-26-102;

(2) Any isolates of industrial hemp other than delta-9 tetrahydrocannabinol (THC);

(3) Any industrial-hemp-derived products that do not contain more than three-tenths of one percent (0.3%) of delta-9 tetrahydrocannabinol (THC); and

(4) Cannabidiol, with less than three-tenths of one percent (0.3%) of tetrahydrocannabinol, that is sourced from industrial hemp.

SECTION 5. Tennessee Code Annotated, Section 40-33-201, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) The following types of property are not subject to seizure and forfeiture under this part based solely on their composition:

- (1) Industrial hemp, as defined in § 43-26-102;
- (2) Any isolates of industrial hemp other than delta-9 tetrahydrocannabinol (THC);
- (3) Any industrial-hemp-derived products that do not contain more than three-tenths of one percent (0.3%) of delta-9 tetrahydrocannabinol (THC); and
- (4) Cannabidiol, with less than three-tenths of one percent (0.3%) of tetrahydrocannabinol, that is sourced from industrial hemp.

SECTION 6. Tennessee Code Annotated, Section 53-11-201, is amended by adding the following as a new subsection:

(l) The following types of property are not subject to seizure and forfeiture under this part based solely on their composition:

- (1) Industrial hemp, as defined in § 43-26-102;
- (2) Any isolates of industrial hemp other than delta-9 tetrahydrocannabinol (THC);
- (3) Any industrial-hemp-derived products that do not contain more than three-tenths of one percent (0.3%) of delta-9 tetrahydrocannabinol (THC); and
- (4) Cannabidiol, with less than three-tenths of one percent (0.3%) of tetrahydrocannabinol, that is sourced from industrial hemp.

SECTION 7. This act shall take effect July 1, 2018, the public welfare requiring it.