

CHAPTER 73**(HCR 35)**

A CONCURRENT RESOLUTION urging Congress to amend the federal Controlled Substances Act to remove hemp from the definition of marijuana.

WHEREAS, for several years, hemp, a non-narcotic low-concentration THC variety of the cannabis plant, has been listed along with marijuana under the federal Controlled Substances Act; and

WHEREAS, in 2014, Congress enacted a provision of law, now codified as 7 U.S.C. sec. 5940, authorizing state departments of agriculture and institutions of higher education to grow or cultivate industrial hemp in jurisdictions where it is allowed by state law for purposes of research conducted under an agricultural pilot program or other agricultural or academic research; and

WHEREAS, since 2014, the Kentucky Department of Agriculture has conducted a hemp research pilot program that is widely regarded as a model for other states to emulate; and

WHEREAS, Kentucky's farmers planted 33 acres of hemp in 2014, a total of 922 acres in 2015, some 2,300 acres in 2016, and 3,200 acres in 2017; and

WHEREAS, from 2014 to 2017, the number of farmers in Kentucky growing hemp increased from 20 to 204, with even more interest in hemp production anticipated in 2018; and

WHEREAS, from 2014 to 2017, the number of hemp processors increased from nine to 49; and

WHEREAS, in 2017, the General Assembly amended Kentucky's Controlled Substances Act to exclude many hemp materials and products from the Commonwealth's definition of illegal marijuana; and

WHEREAS, processors in Kentucky and other states have proven that hemp is an economically viable agricultural commodity that can be used to make a wide variety of useful products, including products for human consumption; and

WHEREAS, removing hemp from the federal definition of marijuana would allow Kentucky's community of hemp farmers and processors to take full advantage of this promising agricultural crop;

NOW, THEREFORE,

Be it resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky, the Senate concurring therein:

➔Section 1. The General Assembly of the Commonwealth of Kentucky urges the United States Congress to take action by enacting legislation that:

(1) Encourages large-scale commercial cultivation of hemp by removing it from the list of controlled substances under the federal Controlled Substances Act;

(2) Prevents the federal Drug Enforcement Administration (DEA) from sending DEA agents onto farms and other sites where hemp is being grown, stored, and processed;

(3) Creates legal protections for depository institutions that provide financial services to legitimate hemp businesses; and

(4) Instructs the federal Food and Drug Administration to accelerate clinical trials and other research on the health effects of cannabidiol (CBD) and other cannabinoids found in hemp.

➔Section 2. The Clerk of the House of Representatives shall send a copy of this Resolution and notification of its adoption to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and each member of Kentucky's delegation to the United States Congress.

Signed by Governor April 2, 2018.