



## State Laws Around the Country

Since the passage of *The Legitimacy of Industrial Hemp Research* in the Farm Bill, many new states have passed hemp legislation. But because of current federal laws, these states must operate in a legal grey area of uncertainty, where importing viable hemp seed still carries risk of interference from the Drug Enforcement Administration (DEA).

As of September 2014, Eighteen (18) States have defined industrial hemp as a distinct agriculture crop, and removed barriers to production. These states are technically allowed to take immediate advantage of the industrial hemp research and pilot program provision, but are experiencing many roadblocks to licensing farmers and importing seed.

Three states, [Colorado](#), [Kentucky](#) and [Vermont](#), already have research crops planted in accordance with section 7606 of the Farm Bill, *The Legitimacy of Industrial Hemp Research*.

### States that are “Ready to Grow” industrial hemp as of 2014

[California](#), [Colorado](#), [Delaware](#), [Hawaii](#), [Illinois](#), [Indiana](#), [Kentucky](#), [Maine](#), [Montana](#), [Nebraska](#), [North Dakota](#), [Oregon](#), [South Carolina](#), [Tennessee](#), [Utah](#), [Vermont](#), [Washington](#), and [West Virginia](#).

[California](#) – passed SB 566 (signed 9/27/13) to allow hemp farming and production with regulatory framework. This year SB 1304 passed (signed 6/18/14), which outlines provisions for industrial hemp cultivation.

[Colorado](#) passed [SB13-241](#) and [SB14-184](#) (signed 5/31/14) to regulate hemp production, and [HB12-1099](#) (signed 6/12/12) to create a remediation program to study phytoremediation through the growth of hemp on contaminated soil.

[Delaware](#) passed HB 385 (signed 7/29/14) to legalize industrial hemp research in accordance with Section 7606 of the Farm Bill.

[Hawaii](#) passed [SB 2175](#) (signed 5/1/14) to authorize cultivation under specified conditions, and [HB 154](#) (signed 1/17/13) to authorize a remediation pilot program.

[Illinois](#) passed HB 5085 (signed 6/27/14) pursuant to Section 7606 allows Illinois Dept. of Agriculture to administer a pilot program for industrial hemp research, which became law, Public Act 98-1072.

[Indiana](#) passed [SB 357](#) (signed 3/26/14) this year to authorize the licensing, cultivation and production of hemp with regulations set by the department of agriculture.

[Kentucky](#) passed SB 50 (signed 4/7/13) established procedures for licensing of industrial hemp growers by the Dept. of Agriculture. This year Kentucky’s Ag Commissioner, James Comer, pursued legal action against the DEA for interference in hemp seed imports and has passed an encompassing set of laws to regulate and oversee licensure, cultivation and production.



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Maine passed [LD 1159](#) (signed 6/9/09) to allow hemp farming for research with a license issued by the Commissioner of Agriculture, Food and Rural Resources.

Montana passed SB 261 (signed 4/23/01) to authorize licensure, cultivation and production of hemp under the regulations of the Department of Agriculture.

Nebraska passed [LB 1001](#) (signed 4/2/14) to allow cultivation and production of hemp for research and pilot programs.

North Dakota passed [HB 1549](#) (signed 4/24/09) and [HCR 3026](#) (signed 4/7/09) to provide licensure for the cultivation and production of hemp with licensure from Agriculture Commissioner.

Oregon passed [SB 676](#) (signed 8/4/09) to permit production and possession of industrial hemp and trade in hemp commodities and products and [HB 3371](#) (effective 7/1/14) related to licensure.

South Carolina passed [S 0839](#) (signed 6/2/14) to allow hemp regulation, cultivation, and production.

Tennessee passed HB 2445 and [SB2495](#) (signed 5/14/14) to authorize the growing of industrial hemp subject to regulation by the department of agriculture.

Utah passed [HB 105](#) (signed 3/20/14) to permit the Department of Agriculture and a higher education institution to grow industrial hemp for research purposes

Vermont passed [H 267](#) (6/27/08) to permit the development of industrial hemp with licensure provided by the Secretary of the Agriculture, Food and Markets and [S 157](#) (signed 6/10/13) to nullify the federal ban and expand state regulation.

Washington voted unanimously to approve [HB1888](#) to effectively nullify the federal ban and create regulations for cultivation and production.

West Virginia passed [SB 447](#) (signed 2002) to authorize the licensing, cultivation and production of industrial hemp. This year, HB 3011 (effective 3/21/14) was passed to remove provisions requiring applicants to meet federal requirements concerning production, distribution and sale of industrial hemp prior to being licensed.

## These states currently have momentum to legalize industrial hemp in 2015:

Connecticut passed a feasibility study bill, HB 5476, requiring the Commissioner of Consumer Protection to issue an official report on legalizing industrial hemp no later than January 1, 2015.

New York - passed S 7057 legalizing industrial hemp research in accordance with Section 7606. This bill pass both chambers and is currently awaiting signature from Governor Cuomo. New York is poised to become the nineteenth state to effectively legalize hemp for research.

Virginia - Delegate Yost introduced HB 1277 on July 21, 2014 to legalize industrial hemp cultivation with 11 cosponsors.

Michigan - Lawmakers are currently pursuing [HB 5439](#) and [HB 5440](#) to allow the cultivation of hemp for research purposes.