

FINAL BILL REPORT

HB 2064

C 153 L 17
Synopsis as Enacted

Brief Description: Removing industrial hemp from the scope of the uniform controlled substances act.

Sponsors: Representatives Shea, Blake, Taylor, Condotta, Buys, Kloba and Ormsby.

House Committee on Commerce & Gaming
Senate Committee on Law & Justice

Background:

The Washington Uniform Controlled Substances Act (state CSA) organizes certain drugs, substances, and immediate precursors in Schedules I through V. The Pharmacy Quality Assurance Commission generally has authority to place additional drugs, substances, and immediate precursors onto the schedules, remove drugs, substances, and immediate precursors from the schedules, and transfer drugs, substances, and immediate precursors between the schedules.

Schedule I substances typically have a high potential for abuse, have no currently accepted medical use in treatment in the United States, and lack accepted safety for use in treatment under medical supervision. However, a substance may be placed on Schedule I without a finding that it meets those criteria if the substance is controlled under Schedule I of the federal Controlled Substances Act (federal CSA) by a federal agency as a result of an international treaty, convention, or protocol.

It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by law. It is also unlawful to manufacture or deliver a controlled substance except as authorized by law.

Marijuana is categorized as a Schedule I substance under both the state and federal CSA. Marijuana is defined to include all parts of the plant *Cannabis*, whether growing or not, with a tetrahydrocannabinol (THC) concentration greater than 0.3 percent on a dry-weight basis, and includes the seeds, resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis* are also classified as a Schedule I Substance separately from marijuana.

In 2016 an industrial hemp research program was established under the authority of the Washington State Department of Agriculture (WSDA). Industrial hemp means all parts and varieties of the genera *Cannabis*, cultivated or possessed by a grower, whether growing or not, that contain a THC concentration of 0.3 percent or less by dry weight. Industrial hemp does not include plants of the genera *Cannabis* that meet the definition of marijuana in the state CSA. A grower is a person licensed to grow industrial hemp through the industrial hemp research program. The industrial hemp research program is an agricultural pilot program to study the growth, cultivation, or marketing of industrial hemp in the state.

Industrial hemp may be grown, produced, possessed, processed, and exchanged in the state solely as part of the industrial hemp research program. The WSDA is required to establish rules to implement the program and to license individual growers who may grow industrial hemp and transfer industrial hemp and industrial hemp products within the parameters of the research program. Processing any part of industrial hemp, except seed, as food, extract, oil, cake, concentrate, resin, or other preparation for topical use, oral consumption, or inhalation by humans is prohibited.

Summary:

Industrial hemp, as defined in the Industrial Hemp Research Program, is excluded from the Washington Uniform Controlled Substances Act's schedules of controlled substances.

Votes on Final Passage:

House	98	0
Senate	49	0

Effective: July 23, 2017