

# West Virginia Industrial Hemp Policy Guide

~Prepared by the West Virginia Hemp Industries Association~

## Current Legislation

### State – West Virginia

- Industrial Hemp Development Act of 2002, W.Va. Code § 19-12E
- SB 221 Authorizing Agricultural Commissioner to Promulgate Rules relating to industrial hemp

### Federal – United States Congress

#### -Controlled Substances Act of 1970

- Current law controlling *Cannabis sativa L* growth and production

#### - Agricultural Act of 2014 (Farm Bill)

- Section 7606 Legitimacy of Industrial Hemp Research
- Allows cultivation of industrial hemp for research in coordination with state departments of agriculture or institutions of higher education under pilot programs

#### - Omnibus Appropriations Act of 2016

- Section 763 prevents appropriations that contravene the transportation, processing, or sale of hemp grown in accordance with 7606 of the Farm Bill

**Overview**– The Industrial Hemp Farming Act of 2015 would amend the Controlled Substances Act of 1970 to re-define “industrial hemp” and remove it from the current definition of “marijuana.” Hemp could then be grown and processed under state laws. West Virginia is well positioned to prosper in cultivation, processing, manufacturing, and sale of cannabis for food, textiles, building materials, and medical uses. The Omnibus Appropriations Act of 2016 allows additional flexibility for pilot programs to begin establishing interstate markets.

## Resources

- govtrack.us
- VoteHemp.com
- Agricultural Act of 2014
- CRS – Hemp as an Agricultural Commodity
- WV Industrial Hemp Development Act of 2002
- West Virginia Hemp Industry Association (WVHIA)
- West Virginia Hemp Farmers Cooperative (WVHFC)

## Proposed Amendments

### State – West Virginia

- No need for further legislation. Hemp Development Act includes a provision to advance with federal policies.
- Additional regulations for seed breeding standards are advisable

### Federal – United States Congress

#### - Industrial Hemp Farming Act Amendments

- H.R. 525, S. 134 Industrial Hemp Farming Act amends the CSA to exclude industrial hemp from the definition of marijuana, and for other purposes
- S. 1333 Therapeutic Hemp Medical Access Act amends CSA to exclude cannabidiol and cannabidiol-rich plants from marijuana’s definition

## Contact

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