**South Carolina General Assembly**

120th Session, 2013-2014

**A216, R223, S839**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Bryant, Bright and Davis

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Introduced in the Senate on January 14, 2014

Introduced in the House on March 18, 2014

Last Amended on March 6, 2014

Passed by the General Assembly on May 20, 2014

Governor's Action: June 2, 2014, Signed

Summary: Industrial Hemp

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/10/2013 Senate Prefiled

 12/10/2013 Senate Referred to Committee on **Agriculture and Natural Resources**

 1/14/2014 Senate Introduced and read first time ([Senate Journal‑page 41](file:///H%3A%5CSJ%20Archive%5C2014%5C01-14-14.docx))

 1/14/2014 Senate Referred to Committee on **Agriculture and Natural Resources** ([Senate Journal‑page 41](file:///H%3A%5CSJ%20Archive%5C2014%5C01-14-14.docx))

 2/27/2014 Senate Committee report: Favorable **Agriculture and Natural Resources** ([Senate Journal‑page 9](file:///H%3A%5CSJ%20Archive%5C2014%5C02-27-14.docx))

 2/28/2014 Scrivener's error corrected

 3/5/2014 Senate Amended ([Senate Journal‑page 40](file:///H%3A%5CSJ%20Archive%5C2014%5C03-05-14.docx))

 3/6/2014 Senate Amended ([Senate Journal‑page 28](file:///H%3A%5CSJ%20Archive%5C2014%5C03-06-14.docx))

 3/12/2014 Senate Read second time ([Senate Journal‑page 25](file:///H%3A%5CSJ%20Archive%5C2014%5C03-12-14.docx))

 3/12/2014 Senate Roll call Ayes‑42 Nays‑0 ([Senate Journal‑page 25](file:///H%3A%5CSJ%20Archive%5C2014%5C03-12-14.docx))

 3/13/2014 Senate Read third time and sent to House ([Senate Journal‑page 12](file:///H%3A%5CSJ%20Archive%5C2014%5C03-13-14.docx))

 3/18/2014 House Introduced and read first time ([House Journal‑page 7](file:///H%3A%5CHJ%20Archive%5C2014%5C03-18-14.docx))

 3/18/2014 House Referred to Committee on **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 7](file:///H%3A%5CHJ%20Archive%5C2014%5C03-18-14.docx))

 3/27/2014 House Committee report: Favorable **Agriculture, Natural Resources and Environmental Affairs** ([House Journal‑page 3](file:///H%3A%5CHJ%20Archive%5C2014%5C03-27-14.docx))

 4/2/2014 House Requests for debate‑Rep(s). Bedingfield, Sandifer, Whitmire, Daning, Rivers, Southard, Riley, Forrester, Allison, Wood, Chumley, Brannon, Hiott, Wells, Hardwick, JR Smith, Hixon, Ryhal, Nanney, GR Smith, HA Crawford, GA Brown, Anderson, George ([House Journal‑page 192](file:///H%3A%5CHJ%20Archive%5C2014%5C04-02-14.docx))

 4/10/2014 House Debate adjourned until Tues., 5‑6‑14 ([House Journal‑page 145](file:///H%3A%5CHJ%20Archive%5C2014%5C04-10-14.docx))

 5/13/2014 House Debate adjourned until Wed., 5‑14‑14 ([House Journal‑page 17](file:///H%3A%5CHJ%20Archive%5C2014%5C05-13-14.docx))

 5/14/2014 House Read second time ([House Journal‑page 44](file:///H%3A%5CHJ%20Archive%5C2014%5C05-14-14.docx))

 5/14/2014 House Roll call Yeas‑72 Nays‑28 ([House Journal‑page 44](file:///H%3A%5CHJ%20Archive%5C2014%5C05-14-14.docx))

 5/20/2014 House Read third time and enrolled

 5/29/2014 Ratified R 223

 6/2/2014 Signed By Governor

 6/11/2014 Effective date 06/02/14

 6/12/2014 Act No. 216

**VERSIONS OF THIS BILL**

[12/10/2013](file:///p%3A%5Cpprever%5C2013-14%5C839_20131210.docx)

[2/27/2014](file:///p%3A%5Cpprever%5C2013-14%5C839_20140227.docx)

[2/28/2014](file:///p%3A%5Cpprever%5C2013-14%5C839_20140228.docx)

[3/5/2014](file:///p%3A%5Cpprever%5C2013-14%5C839_20140305.docx)

[3/6/2014](file:///p%3A%5Cpprever%5C2013-14%5C839_20140306.docx)

[3/27/2014](file:///p%3A%5Cpprever%5C2013-14%5C839_20140327.docx)

(A216, R223, S839)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 55 TO TITLE 46 SO AS TO PROVIDE THAT IT IS LAWFUL TO GROW INDUSTRIAL HEMP IN THIS STATE, THAT INDUSTRIAL HEMP IS EXCLUDED FROM THE DEFINITION OF MARIJUANA, TO PROHIBIT THE GROWING OF INDUSTRIAL HEMP AND MARIJUANA ON THE SAME PROPERTY OR OTHERWISE GROWING MARIJUANA IN CLOSE PROXIMITY TO INDUSTRIAL HEMP TO DISGUISE THE MARIJUANA GROWTH, TO DEFINE CERTAIN TERMS, AND TO PROVIDE PENALTIES.**

Be it enacted by the General Assembly of the State of South Carolina:

**Findings**

SECTION 1. The General Assembly finds that:

 (1) Hemp is a fiber and oilseed crop with a wide variety of uses, including twine, rope, paper, construction materials, carpeting, and clothing, and has the potential for use as a cellulosic ethanol biofuel.

 (2) Hemp seeds have been used in making industrial oils, cosmetics, medicines, and food.

 (3) Hemp and marijuana are genetically different cultivars of the same plant species and are scientifically distinguishable from each other.

 (4) Hemp is grown for scientific, economic, and environmental uses while marijuana is grown for narcotic use.

 (5) Research and development related to hemp has the potential to provide a cash crop for South Carolina’s farmers with broad commercial application that will enhance the economic diversity and stability of our state’s agricultural industry.

**Industrial hemp cultivation**

SECTION 2. Title 46 of the 1976 Code is amended by adding:

“CHAPTER 55

Industrial Hemp Cultivation

 Section 46‑55‑10. For the purposes of this chapter:

 (1) ‘Industrial hemp products’ means all products made from industrial hemp, including, but not limited to, cloth, cordage, fiber, food, fuel, paint, paper, particleboard, plastics, seed, seed meal and seed oil for consumption, and seed for cultivation if the seeds originate from industrial hemp varieties.

 (2) ‘Industrial hemp’ means all parts and varieties of the plant cannabis sativa, cultivated or possessed by a licensed grower, whether growing or not, that contain of no more tetrahydrocannabinol concentration than adopted by federal law in the Controlled Substances Act, 21 U.S.C. 801, et seq.

 (3) ‘Tetrahydrocannabinol’ means the natural or synthetic equivalents or substances contained in the plant, or in the resinous extractives of cannabis, or any synthetic substances, compounds, salts, or derivatives of the plant or chemicals and their isomers with similar chemical structure and pharmacological activity.

 Section 46‑55‑20. It is lawful for an individual to cultivate, produce, or otherwise grow industrial hemp in this State to be used for any lawful purpose, including, but not limited to, the manufacture of industrial hemp products, and scientific, agricultural, or other research related to other lawful applications for industrial hemp.

 Section 46‑55‑30. Industrial hemp is excluded from the definition of marijuana in Section 44‑53‑110.

 Section 46‑55‑40. An individual who manufactures, distributes, dispenses, delivers, purchases, aids, abets, attempts, or conspires to manufacture, distribute, dispense, deliver, purchase, or possesses with the intent to manufacture, distribute, dispense, deliver, or purchase marijuana on property used for industrial hemp production, or in a manner intended to disguise the marijuana due to its proximity to industrial hemp, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than three years or fined not more than three thousand dollars, or both. The penalty provided for in this section may be imposed in addition to any other penalties provided by law.”

**Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 29th day of May, 2014.

Approved the 2nd day of June, 2014.

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