

# FINAL BILL REPORT

## ESSB 6206

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FULL VETO  
VETO OVERRIDE  
Synopsis as Enacted

**Brief Description:** Authorizing the growing of industrial hemp.

**Sponsors:** Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hasegawa, Takko, Chase, Schoesler and Sheldon).

**Senate Committee on Agriculture, Water & Rural Economic Development**  
**House Committee on Commerce & Gaming**

**Background:** Industrial hemp production is currently not pursued in Washington to any significant extent. The fact that hemp contains tetrahydrocannabinol (THC) - a controlled substance on the federal level and a regulated substance on the state level - complicates its feasibility as a farm product.

In Washington, I-502 legalized the possession of marijuana and authorized the state Liquor Control Board to regulate and tax marijuana's use by persons 21 years of age and older. The definition of marijuana under I-502 requires a THC percentage of 0.3 percent or higher by weight.

Products made from hemp can include cloth, fuel, plastics, seed meal, and seed oil for consumption, among other things. Hemp can also be used directly for erosion control and as a cover crop.

**Summary:** The Washington State Department of Agriculture (WSDA) has specific direction to comply with federal requirements in establishing an industrial hemp research program, licensing program, and seed certification program.

Industrial hemp is defined as the plant, *Cannabis sativa*, with a THC level at or below 0.3 percent by weight, with an exception for licensed seed research. Not included in this definition are any preparation for topical use, oral consumption or inhalation that is made from stalks, leaves, flowers or fiber.

Growing industrial hemp under license as part of WSDA's industrial hemp research program is authorized as an agricultural activity. "Grower" is defined as "licensed grower."

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*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.*

Applications for licensure are submitted to WSDA. Specific requirements for applicants are noted, among which are to provide the location of the fields, disclosure of the applicant's criminal history, and consent to allow WSDA to enter the fields to inspect.

WSDA is given authority to approve selected growers whose demonstration plots will advance the goals of the research program.

The county sheriff is notified immediately of any licenses granted in the sheriff's jurisdiction.

The applications and supporting information are exempt from public disclosure.

Washington State University (WSU) must study the feasibility and desirability of industrial hemp production in Washington State, subject to receiving federal or private funds for this purpose, through the expiration of this provision on August 1, 2017. This study's sources of information are prescribed and specific analyses are required, including whether growing industrial hemp will be a vector for plant disease affecting related species such as hops.

WSU must report its findings to the Legislature by January 14, 2017.

**Votes on Final Passage:**

Senate	48	1
House	97	0

**Votes on Veto Override:**

First Special Session

Senate	43	0
House	88	6

**Effective:** June 28, 2016