

114TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. GARDNER (for himself, Mr. WYDEN, Mr. HATCH, Mr. ISAKSON, Mr. MERKLEY, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Therapeutic Hemp  
5 Medical Access Act of 2015”.

1 **SEC. 2. EXCLUSION OF CANNABIDIOL AND CANNABIDIOL-**  
2 **RICH PLANTS FROM DEFINITION OF MARI-**  
3 **HUANA.**

4 (a) IN GENERAL.—Section 102(16) of the Controlled  
5 Substances Act (21 U.S.C. 802(16)) is amended, in the  
6 second sentence—

7 (1) by striking “or the sterilized seed” and in-  
8 serting “the sterilized seed”; and

9 (2) by inserting before the period at the end the  
10 following: “, cannabidiol, or cannabidiol-rich plants”.

11 (b) DEFINITIONS.—Section 102 of the Controlled  
12 Substances Act (21 U.S.C. 802), as amended, is further  
13 amended by adding at the end the following:

14 “(57)(A) The term ‘cannabidiol-rich plant’  
15 means the plant *Cannabis sativa* L. and any part of  
16 such plant, whether growing or not, with a  
17 tetrahydrocannabinol concentration of not more than  
18 0.3 percent on a dry weight basis.

19 “(B) A cannabidiol-rich plant shall not be treat-  
20 ed as a controlled substance under this Act.

21 “(58)(A) The term ‘cannabidiol’ means the sub-  
22 stance cannabidiol, as derived from a cannabidiol-  
23 rich plant.

24 “(B) Cannabidiol shall not be treated as a con-  
25 trolled substance under this Act.

1           “(59) The term ‘tetrahydrocannabinol con-  
2           centration’ means—

3                   “(A) the percent of the delta-9  
4           tetrahydrocannabinol content per dry weight of  
5           any part of the plant *Cannabis sativa* L or per  
6           volume of weight of marijuana product; or

7                   “(B) the combined percent of the delta-9  
8           tetrahydrocannabinol and tetrahydro-  
9           cannabinolic acid in any part of the plant *Can-  
10          nabis sativa* L, regardless of moisture con-  
11          tent.”.

12 **SEC. 3. RULE OF CONSTRUCTION.**

13           Nothing in this Act, or the amendments made by this  
14 Act, shall be construed to prohibit or otherwise restrict  
15 any activities related to the use, production, or distribu-  
16 tion of marijuana in a State in which such activities are  
17 legal under State law.