

115TH CONGRESS
1ST SESSION

H. R. 4164

To provide that the owner of a water right may use the water for the cultivation of industrial hemp, if otherwise authorized by State law.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 2017

Mr. POLIS (for himself, Mr. YOUNG of Alaska, Mr. PETERSON, Ms. GABBARD, Mr. POCAN, Mr. COHEN, Mr. BLUMENAUER, Mr. GARRETT, and Ms. DEGETTE) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide that the owner of a water right may use the water for the cultivation of industrial hemp, if otherwise authorized by State law.

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 “Industrial Hemp
5 Water Rights Act”.

1 **SEC. 2. USE OF WATER FOR INDUSTRIAL HEMP CULTIVA-**
2 **TION.**

3 (a) DEFINITION OF INDUSTRIAL HEMP.—In this sec-
4 tion, the term “industrial hemp” has the meaning given
5 the term in section 7606(b) of the Agricultural Act of
6 2014 (7 U.S.C. 5940(b)).

7 (b) USE FOR INDUSTRIAL HEMP CULTIVATION.—
8 Notwithstanding the Controlled Substances Act (21
9 U.S.C. 801 et seq.), chapter 81 of title 41, United States
10 Code, or any other Federal law, an owner of an absolute
11 or conditional or reserved water right, including a feder-
12 ally recognized Tribe, or an entity that receives or distrib-
13 utes water contracted from the Federal Government, may,
14 pursuant to applicable water law, use or sell for use by
15 another person the water subject to the water right or the
16 contract, as applicable, for the cultivation of industrial
17 hemp, regardless of whether the water has passed through
18 a Federal water project, if the growth or cultivation of
19 industrial hemp is otherwise authorized under the laws of
20 the State or Tribe in whose jurisdiction in which such use
21 occurs.

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