

115TH CONGRESS
1ST SESSION

S. 1576

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 SENATE OF THE UNITED STATES

JULY 18, 2017

Mr. BENNET (for himself, Mr. DAINES, Mr. TESTER, Mr. GARDNER, Mr. WYDEN, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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”.

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

8 (a) DEFINITION OF INDUSTRIAL HEMP.—In this sec-
9 tion, the term “industrial hemp” has the meaning given

1 the term in section 7606(b) of the Agricultural Act of
2 2014 (7 U.S.C. 5940(b)).

3 (b) USE FOR INDUSTRIAL HEMP CULTIVATION.—
4 Notwithstanding the Controlled Substances Act (21
5 U.S.C. 801 et seq.), chapter 81 of title 41, United States
6 Code, or any other Federal law, an owner of an absolute
7 or conditional water right, or an entity that receives or
8 distributes water contracted from the Federal Govern-
9 ment, may use or sell for use by another person the water
10 subject to the water right or the contract, as applicable,
11 for the cultivation of industrial hemp, regardless of wheth-
12 er the water has passed through a Federal water project,
13 if the growth or cultivation of industrial hemp is otherwise
14 authorized under the laws of the State in which such use
15 occurs.

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