



**NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 315**

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

S315-ATQ-27 [v.4]

Page 1 of 3

Amends Title [NO]
S315-CSTQ-5

Date _____, 2019

Senator B. Jackson

1 moves to amend the bill on page 2, line 17, by deleting the word "and" and substituting the word
2 "or";

3
4 and on page 3, line 46, by rewriting the line to read:

5
6 "full-time or Emeritus faculty member of a State land grant university who regularly works";

7
8 and on page 6, line 31, by rewriting the line to read:

9
10 "pursuant to G.S. 105-164.13E(b). The Commission may also grant a license to cultivate
11 hemp to a State agency or institution of higher learning, or an employee of a State agency or
12 institution of higher learning for use in the scope of the employee's duties.";

13
14 and on page 8, line 49, through page 9, line 2, by deleting those lines;

15
16 and on page 9, lines 17 through 20, by deleting those lines;

17
18 and on page 13, lines 8 through 18, by rewriting the lines to read:

19
20 **"SECTION 6.1** Article 50E of Chapter 106 of the General Statutes is repealed.

21 **SECTION 7.** Sections 1 and 2 of this act become effective on the later of the
22 following dates:

23 (1) December 1, 2019.

24 (2) 30 days after the effective date of regulations adopted by the United States
25 Department of Agriculture pursuant to Section 297D of the Agriculture
26 Marketing Act of 1946, as amended by the Agriculture Improvement Act of
27 2018.

28 Section 3 of this act is effective for taxes imposed for taxable years beginning on or after July
29 1, 2019. Sections 4, 5, 6, and 7 of this act are effective when they become law. Section 6.1 of
30 this act becomes effective July 1, 2021. Sections 2 and 3 of this act expire July 1, 2021.";



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and on page 21, line 50, through page 22, line 7, by rewriting the lines to read:

"SMOKABLE HEMP

SECTION 14.(a) G.S. 106-568.56, as amended by Section 1.(a) of this act, reads as rewritten:

"§ 106-568.56. Civil penalty.

(a) In addition to any other liability or penalty provided by law, the Commissioner may assess a civil penalty of not more than two thousand five hundred dollars (\$2,500) per violation against any person who:

...

(5) Knowingly or intentionally manufactures, delivers, sells, or possesses smokable hemp, except for hemp plants or parts of a hemp plant grown or handled by a licensee for processing or manufacturing into a legal hemp product.

(b) The Commissioner shall remit the clear proceeds of civil penalties assessed pursuant to this section to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2."

SECTION 14.(b) G.S. 106-568.57, as amended by Section 1.(a) of this act, is amended by adding a new subsection to read:

"(d) Any person that knowingly or intentionally manufactures, delivers, sells, or possesses smokable hemp, except for hemp plants or parts of a hemp plant grown or handled by a licensee for processing or manufacturing into a legal hemp product, shall be deemed guilty of a Class 1 misdemeanor."

SECTION 14.(c) At least quarterly, the Department of Agriculture and Consumer Services, the North Carolina Industrial Hemp Association, the North Carolina Hemp Commission, the State Bureau of Investigation, and other law enforcement agencies and district attorneys as requested by the State Bureau of Investigation, shall meet to discuss best practices for the hemp industry. The Department of Agriculture and Consumer Services shall report any findings and legislative recommendations from these meetings to the Agriculture and Forestry Awareness Study Commission within 30 days of each meeting.

SECTION 14.(d) The State Bureau of Investigation shall notify the Agriculture and Forestry Awareness Study Commission in writing when the United States Drug Enforcement Agency has adopted an approved immediate testing method to determine whether hemp is within the federally defined THC level for hemp. Upon the receipt of notification from the State Bureau of Investigation, the Agriculture and Forestry Awareness Study Commission shall study whether the prohibition on the sale of smokable hemp should be repealed and make legislative recommendations.

SECTION 14.(e) Subsections (a) and (b) of this section become effective December 1, 2020 and apply to offenses occurring on or after that date. The remainder of this section is effective when it becomes law."

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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____