

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: 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—115th Cong., 1st Sess.**

**(no.)** \_\_\_\_\_

Making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. DAINES (for himself and Mr. TESTER)

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . USE OF WATER FOR INDUSTRIAL HEMP CULTIVA-**  
3 **TION.**

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

8 (b) USE FOR INDUSTRIAL HEMP CULTIVATION.—  
9 Notwithstanding the Controlled Substances Act (21  
10 U.S.C. 801 et seq.), chapter 81 of title 41, United States

1 Code, or any other Federal law, an owner of an absolute  
2 or conditional water right, or an entity that receives or  
3 distributes water contracted from the Federal Govern-  
4 ment, may use or sell for use by another person the water  
5 subject to the water right or the contract, as applicable,  
6 for the cultivation of industrial hemp, regardless of wheth-  
7 er the water has passed through a Federal water project,  
8 if the growth or cultivation of industrial hemp is otherwise  
9 authorized under the laws of the State in which such use  
10 occurs.