

Gov. Evers: Signs the Growing Opportunities Act

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MADISON — Gov. Tony Evers today signed Senate Bill 188, now 2019 Wisconsin Act 68, also known as the Growing Opportunities Act. This bill makes needed changes to Wisconsin's current laws regarding hemp production in the state of Wisconsin due to the passage of the federal 2018 Farm Bill.

“From textiles, to recycling and bioplastics, to industrial materials, hemp provides endless opportunities to Wisconsin farmers who are looking for new markets to enter, which is why interest in growing and producing hemp in Wisconsin has skyrocketed in the last year,” Gov. Evers said. “I was proud to sign this collaborative, bipartisan bill into law today to ensure the continued success of our hemp program and the many new opportunities hemp provides to Wisconsin farmers.”

[Senate Bill 188](#), now 2019 Wisconsin Act 68:

- Modifies the definition of “hemp” in state law to match the definition under federal law;
- Requires the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) to promulgate rules to ensure the hemp program complies with federal law and requires DATCP to receive any required federal approval necessary for the state's hemp program;
- Incorporates provisions required of a state hemp program under the 2018 Farm Bill into state law;
- Repeals the current pilot program one year after the secretary of the U.S. Department of Agriculture establishes a plan for regulating hemp production;
- Provides DATCP the authority to issue licenses for planting, growing, cultivating,

harvesting, producing, sampling, testing, processing, transporting, transferring, taking possession of, selling, importing and exporting hemp;

- Provides DATCP the authority to identify the requirements for applying for a license, approve or deny a license, suspend or revoke a license, and set fees associated with licensing, set criteria for approving persons to undertake any sampling and testing of hemp, release personally identifiable information to law enforcement if the licensee elects;
- Establishes a truth-in-labeling requirement for hemp, whereby no person may mislabel hemp or a hemp product, knowingly make an inaccurate claim about the content, THC concentration, quality, or origin of hemp, or knowingly sell mislabeled hemp or hemp products;
- Maintains delta-9-THC as a restricted controlled substance for purposes of driving or operating a vehicle at a concentration of one or more nanograms per milliliter in a person's blood;
- Prohibits a person from producing hemp for 10 years following any felony conviction relating to a controlled substance under state or federal law;
- Allows the "practice of chiropractic" to mean treat without the use of drugs, other than hemp;
- Creates an exemption from licensing by the Pharmacy Examining Board for a person selling, giving away, or bartering hemp; and
- Clarifies that laws governing hemp may not be construed to limit access to cannabidiol (CBD) products.