

House File 319 - Introduced

HOUSE FILE 319

BY SHIPLEY

A BILL FOR

1 An Act providing that the plant Cannabis sativa L.,
2 with a certain maximum concentration of delta-9
3 tetrahydrocannabinol, is no longer defined as marijuana.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 4.1, Code 2019, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 15. "*Marijuana*" does not mean any part
4 of the plant *Cannabis sativa* L., whether growing or not, if
5 such plant, including the seeds thereof and all derivatives,
6 extracts, cannabinoids, isomers, acids, salts, and salts of
7 isomers, whether growing or not, has a maximum concentration of
8 delta-9 tetrahydrocannabinol concentration that does not exceed
9 0.3 percent on a dry weight basis.

10 Sec. 2. Section 124.101, subsection 20, Code 2019, is
11 amended to read as follows:

12 20. a. "*Marijuana*" means all parts of the plants of the
13 genus *Cannabis*, whether growing or not; the seeds thereof; the
14 resin extracted from any part of the plant; and every compound,
15 manufacture, salt, derivative, mixture or preparation of the
16 plant, its seeds or resin, including tetrahydrocannabinols. It
17 does not include the mature stalks of the plant, fiber produced
18 from the stalks, oil or cake made from the seeds of the plant,
19 any other compound, manufacture, salt, derivative, mixture, or
20 preparation of the mature stalks (except the resin extracted
21 therefrom), fiber, oil or cake or the sterilized seed of the
22 plant which is incapable of germination.

23 b. Notwithstanding paragraph "a", "*marijuana*" does not
24 include any part of the plant *Cannabis sativa* L., whether
25 growing or not, if such plant, including the seeds thereof and
26 all derivatives, extracts, cannabinoids, isomers, acids, salts,
27 and salts of isomers, whether growing or not, has a maximum
28 concentration of delta-9 tetrahydrocannabinol concentration
29 that does not exceed 0.3 percent on a dry weight basis.

30 Sec. 3. Section 124.204, subsection 4, paragraph u, Code
31 2019, is amended to read as follows:

32 u. (1) Tetrahydrocannabinols, except as otherwise
33 provided by rules of the board for medicinal purposes,
34 meaning tetrahydrocannabinols naturally contained in a plant
35 of the genus *Cannabis* (*Cannabis* plant) as well as synthetic

1 equivalents of the substances contained in the Cannabis plant,
2 or in the resinous extractives of such plant, and synthetic
3 substances, derivatives, and their isomers with similar
4 chemical structure and pharmacological activity to those
5 substances contained in the plant, such as the following:

6 ~~{1}~~ (a) 1 cis or trans tetrahydrocannabinol, and their
7 optical isomers.

8 ~~{2}~~ (b) 6 cis or trans tetrahydrocannabinol, and their
9 optical isomers.

10 ~~{3}~~ (c) 3,4 cis or trans tetrahydrocannabinol, and their
11 optical isomers. (Since nomenclature of these substances
12 is not internationally standardized, compounds of these
13 structures, regardless of numerical designation of atomic
14 positions covered.)

15 (2) Subparagraph (1) does not apply to the plant of the
16 genus Cannabis sativa L., whether growing or not, if such
17 plant, including the seeds thereof and all derivatives,
18 extracts, cannabinoids, isomers, acids, salts, and salts of
19 isomers, whether growing or not, has a maximum concentration of
20 delta-9 tetrahydrocannabinol concentration that does not exceed
21 0.3 percent on a dry weight basis.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with
24 the explanation's substance by the members of the general assembly.

25 This bill provides that the plant Cannabis sativa L., with
26 a maximum concentration of delta-9 tetrahydrocannabinol that
27 does not exceed 0.3 percent on a dry weight basis is no longer
28 defined as marijuana and therefore is no longer subject to
29 classification as a controlled substance or criminal penalty.