

ORIGINAL SENATE  
FILE NO. SF0032

ENROLLED ACT NO. 24, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2024 BUDGET SESSION

AN ACT relating to hemp production and controlled substances; prohibiting the addition of synthetic substances or other additives to hemp; prohibiting the sale of hemp with THC or psychoactive substances as specified; providing and amending definitions; including naturally occurring THC as a scheduled substance in the Controlled Substances Act; making conforming amendments; requiring rulemaking; and providing for effective dates.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 11-51-101(a)(iii), (vi), (vii) and by creating a new paragraph (viii), 11-51-102(b), 11-51-103 by creating a new subsection (f), 11-51-104(a)(intro), (iii), (b), (d) and by creating a new subsection (e), 35-7-1014(d)(xxi) and 35-7-1063(b) are amended to read:

**11-51-101. Definitions.**

(a) As used in this chapter:

(iii) "Hemp" or "hemp product" means all parts, seeds and varieties of the plant *cannabis sativa* L., whether growing or not, or a product, derivative, extract, cannabinoid, isomer, acid, salt or salt of isomer made from that plant with no synthetic substance and with a THC concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis when using post-decarboxylation or another similarly reliable testing method;

(vi) "Process" means converting hemp into another product that contains no synthetic substance and that contains no more than three-tenths of one percent (0.3%) THC on a dry weight basis when using

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post-decarboxylation or another similarly reliable testing method;

(vii) "THC" means:

(A) Tetrahydrocannabinol, the psychoactive component of the cannabis plant, with the scientific name trans-delta 9-tetrahydrocannabinol;

(B) Psychoactive analogs of tetrahydrocannabinol as defined by W.S. 14-3-301(a)(xi);

(C) Any psychoactive structural, optical or geometric isomers of tetrahydrocannabinol.

(viii) "Synthetic substance" means any synthetic THC, synthetic cannabinoid or any other drug or psychoactive substance.

**11-51-102. Hemp as agricultural crop; use of hemp.**

(b) Notwithstanding the requirements of this chapter, the possession, purchase, sale, transportation and use of hemp and hemp products by any person is allowable except as provided in W.S. 11-51-103(f) and 14-3-310.

**11-51-103. Licensing; prohibited activities.**

(f) No person or licensee shall:

(i) Produce, process or sell hemp or hemp products containing more than three-tenths of one percent (0.3%) THC on a dry weight basis when using post-decarboxylation or another similarly reliable testing method;

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(ii) Add, alter, insert or otherwise include any synthetic substance into hemp or hemp products produced, processed or sold in accordance with this chapter.

**11-51-104. Enforcement; fees; penalties.**

(a) The department shall perform inspections and provide chemical sampling and analysis of production or processing activities by licensees to determine compliance with this chapter. The department may require verification of effective disposal by licensees of hemp or hemp products that contain synthetic substances or that contain in excess of three-tenths of one percent (0.3%) THC on a dry weight basis. For any sample, analysis or verification conducted under this subsection, the department shall assess the licensee fees as established by rule of the department, not to exceed the following:

(iii) Two hundred fifty dollars (\$250.00) for verification of effective disposal of hemp or hemp products that contain synthetic substances or that contain in excess of three-tenths of one percent (0.3%) THC on a dry weight basis.

(b) Except as provided in subsection (e) of this section, any licensee who violates any provision of this chapter or any regulation promulgated pursuant to this chapter shall be subject to a corrective action plan. The corrective action plan may include reporting requirements, additional inspections, suspension of a license, steps necessary to restore a license, requirements related to disposal of hemp or hemp products that contain in excess of three-tenths of one percent (0.3%) THC on a dry weight basis or providing notice of the violation to the

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licensee's known creditors. The plan may require rendering THC inaccessible by using hemp or hemp products as a soil amendment material or by destruction of the hemp or hemp product as authorized by rule of the department.

(d) If any person has three (3) or more violations of this chapter or any regulation promulgated pursuant to this chapter within five (5) years, the department shall revoke the license and the person shall be ineligible for licensure under this ~~article~~chapter for five (5) years.

(e) Any person who violates this chapter by producing, processing or selling hemp or hemp products containing any synthetic substance shall be ineligible for licensure under this chapter.

**35-7-1014. Substances included in Schedule I.**

(d) Hallucinogenic substances.-Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation (for purposes of this paragraph only, the term "isomer" includes the optical, position and geometric isomers):

(xxi) Tetrahydrocannabinols; naturally occurring or synthetic equivalents of the substances contained in the plant or in the resinous extractives of Cannabis, sp. and/or naturally occurring or synthetic substances, derivatives and their isomers with similar chemical structure and pharmacological activity such as the following: delta 1 cis or trans tetrahydrocannabinol and

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their optical isomers; delta 6 cis or trans tetrahydrocannabinol and their optical isomers; delta 8 cis or trans tetrahydrocannabinol and their optical isomers; delta to the 3, 4 cis or trans tetrahydrocannabinol and its optical isomers. Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered;

**35-7-1063. Exceptions to provisions.**

(b) As used in this section:

(i) "Hemp" or "hemp product" means all parts, seeds and varieties of the plant cannabis sativa l. or a product made from that plant with no synthetic substances and with a trans-delta-9-tetrahydrocannabinol (THC) THC concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis;

(ii) "Synthetic substance" means as defined by W.S. 11-51-101(a)(viii);

(iii) "THC" means as defined by W.S. 11-51-101(a)(vii).

**Section 2.** The department of agriculture and the commissioner of drugs and substances control shall promulgate all rules necessary to implement this act.

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**Section 3.**

(a) Except as provided in subsection (b) of this section, this act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(b) Section 1 of this act is effective July 1, 2024.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk