

Hemp Is Here To Stay: Wisconsin Governor Signs New Hemp Legislation

Governor Tony Evers, on November 26, signed 2019 Wisconsin Act 68 (Act 68), a bipartisan bill that makes hemp farming a permanent industry in the State of Wisconsin.

In 2018, Wisconsin launched a temporary "industrial hemp" pilot program. The two-year program allowed individuals to obtain licenses to grow hemp for research purposes, and it has proven a great success. Also in 2018, the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) issued 245 licenses to hemp growers and processors. This year, DATCP issued licenses to 1,247 hemp growers and 556 hemp processors.

Act 68 comes in response to the United States Department of Agriculture's (USDA) new hemp farming regulations, highlighted in Reinhart's recent article, "[Hold On To Your Hemp: USDA Issues Highly Anticipated Rule Governing Hemp Production](#)." The USDA regulations include licensing requirements, testing procedures for tetrahydrocannabinol (THC) concentration levels, compliance provisions and procedures for addressing violations.

Some key aspects of Act 68 include:

- changing the term from "industrial hemp" to just "hemp;"
- aligning Wisconsin's definition of hemp with the federal definition of hemp;
- allowing DATCP to use outside contractors to help test for levels of THC; and
- prohibiting individuals from mislabeling hemp or hemp products, making inaccurate claims about content, THC concentration, quality, or origin of hemp or hemp products in the course of transferring or selling the hemp or hemp product, or knowingly selling at retail mislabeled hemp or hemp products.

If you have questions about Act 68's impact on the Wisconsin hemp farming industry, contact Shannon Toole or any Reinhart attorney in our [Cannabis Law Group](#).

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