The latest hemp laws state-by-state: August 2019

Sep 11, 2019

Categories:

Blogs
Hemp Legally Speaking

Authors:

Jonathan S. Miller
ARCHIVE – Nolan M. Jackson
Jason M. Halligan

The hemp industry took a step forward as one state expanded its hemp program and one non-hemp program state created a hemp task force. On the other hand, the Department of Defense has announced a ban on service members using hemp-derived CBD products; one state passed a CBD excise tax; one state killed a favorable hemp bill; a governor published an anti-hemp op-ed; and a state agency announced hemp may not be sold in foods or dietary supplements. Below is a review of the latest hemp legal changes listed state-by-state.

CALIFORNIA

California's Senate Appropriations Committee has held Assembly Bill 228, effectively killing the bill for the remainder of the session. AB 228 would have explicitly permitted the retail sale of hemp-derived CBD as a food, dietary supplement, and topical product. The bill had unanimously passed the California Assembly, Senate Health Committee, and Senate Business and Professions Committee.

LOUISIANA

Louisiana has authorized a 3% excise tax for hemp-derived CBD products beginning in 2020.

MISSISSIPPI

Mississippi has created a Hemp Cultivation Task Force to study the hemp industry's potential in Mississippi. This could be an important step toward making Mississippi the 48th state with a hemp program.

NEVADA

2026 FBT Gibbons LLP. All rights reserved. ADVERTISING MATERIAL.

FBT Gibbons

Nevada passed two bills expanding and improving its hemp program. Notably, the retail sale of hemp-derived CBD will be explicitly authorized in July 2020 for products meeting testing and labeling requirements.

SOUTH CAROLINA

The South Carolina Department of Agriculture issued a guide stating it is unlawful to sell food or dietary supplements containing hemp-derived CBD, apparently relying on the FDA's guidance.

SOUTH DAKOTA

Governor Kristi Noem published an op-ed in the Argus Leader arguing that "[l]egalizing industrial hemp legalizes marijuana by default" and is a step backward, casting further doubt on hemp-derived CBD's future in the Mount Rushmore State.

© 2026 FBT Gibbons LLP. May be considered attorney advertising in some jurisdictions.

2026 FBT Gibbons LLP. All rights reserved. ADVERTISING MATERIAL.

FBT Gibbons