

INTENT

The intent of this act is to establish policy and procedures for the cultivation and production of industrial hemp in [STATE].

DEFINITIONS

“Industrial hemp” means the plant *Cannabis sativa* L. and any part of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

“Hemp products” means all products made from industrial hemp including, but not limited to, cloth, cordage, fiber, food, cosmetics, biofuel, paint, paper, construction materials, plastics, seed, seed meal, seed oil and certified seed for cultivation.

“Secretary” means Secretary of Agriculture [Substitute proper authority as needed according to state law]

INDUSTRIAL HEMP AN AGRICULTURAL PRODUCT

[INSERT HERE - STATE specific language to remove Industrial Hemp from the list of controlled substances]

Industrial hemp is an agricultural product which may be grown as a crop, produced, possessed and commercially traded in [STATE] pursuant to the provisions of this chapter. The cultivation of hemp shall be subject to and comply with the requirements of accepted agricultural practices adopted by the Department of Agriculture.

REGISTRATION, ADMINISTRATION

(1) A person who intends to grow hemp shall register with the Secretary and submit on a form provided by the Secretary the following:

(A) The name and address of the person;

(B) A statement that the seeds obtained for planting are of a type and variety that do not exceed the maximum concentration of tetrahydrocannabinol set forth in subdivision (xx) of this title; and

(C) The location and acreage of all parcels sown and other field reference information as may be required by the Secretary

(2) The form provided by the Secretary pursuant to subsection (a) of this section shall include a notice statement that, until current federal law is amended to provide otherwise:

(A) Although authorized under this statute in state law, cultivation and possession of hemp in [STATE] is a violation of the federal Controlled Substances Act; and

(B) Federal prosecution for growing hemp in violation of federal law may include criminal penalties, forfeiture of property, and loss of access to federal agricultural benefits, including agricultural loans, conservation programs, and insurance programs.

(3) A person registered with the Secretary pursuant to this section shall allow hemp crops, throughout sowing, growing season, harvest, storage, and processing, to be inspected and tested by and at the discretion of the Secretary or his or her designee.

(4) The Secretary may assess an annual registration fee of \$25.00 for the performance of his or her duties under this chapter.

RULEMAKING AUTHORITY

The Secretary may adopt rules to provide for the implementation of this chapter, which may include rules to allow for the industrial hemp to be tested during growth for tetrahydrocannabinol levels and to allow for require inspection and supervision of the industrial hemp during sowing, growing season, harvest, storage, and processing. The Secretary shall not adopt under this or any other section a rule that would prohibit a person to grow hemp based on the legal status of hemp under federal law.

EFFECTIVE DATE