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Act No. 44 (S.58). Agriculture; State Hemp Program; hemp products

An act relating to the State hemp program

This act amends existing statutes regulating the growing of hemp to establish the State Hemp Program and to bring State law into conformance with the requirements of the 2018 Federal Farm Bill for the growing and selling of hemp and hemp products. The act defines the terms “hemp” and “hemp products.”

The act requires a person who intends to grow, process, or test hemp to register annually with the Secretary of Agriculture, Food and Markets (Secretary). Applications for registration shall include a registration fee and all information required under State and federal law. The registration fees are deposited into a special fund to be used by the Secretary to administer the State Hemp Program, including three new Agency of Agriculture, Food and Markets staff positions.

A person registered with the Secretary may purchase or import hemp genetics from other states compliant with federal hemp laws. A person registered with the Secretary shall allow inspection of the site where hemp will be grown or processed. The general location of a registered business is public, but information regarding land where hemp is grown shall be confidential.

The Secretary may enforce the requirements of the State Hemp Program, including by issuing a stop sale order or prohibition on processing or movement of hemp or a hemp product for a violation of the State requirements. The Secretary may assess administrative penalties for violations. In addition, buildings where extraction of plant botanicals is conducted shall be public buildings for purposes of compliance with the State building and fire code.

Effective Date: May 30, 2019