

S0318.02C

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 79
AN ACT

To amend chapter 265, RSMo, relating to agricultural products, by adding eleven new sections relating to the same subject, with penalty provisions and an emergency clause.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Chapter 265, RSMo, is amended by adding thereto eleven new sections to be known as sections 265.700, 265.705, 265.710, 265.715, 265.720, 265.725, 265.730, 265.740, 265.745 and 265.750, to read as follows:

265.700. Sections 265.700 to 265.750 of this act may be cited as the "Industrial Hemp Production Act of 1997".

265.705. The general assembly finds that the development and use of industrial hemp is in the best interests of the state economy and agriculture and that the production of industrial hemp can be regulated so as not to interfere with the strict control of controlled substances in this state. The purpose of sections 265.700 to 265.750 is to promote the economy, agriculture, public safety, health and welfare by permitting the development of industrial hemp research and related industries while maintaining strict control of marijuana.

265.710 As used in sections 265.700 to 265.750 of this act, the following words and phrases shall mean:

- (1) "Commercial uses", uses which are noninjurious in nature;**
- (2) "Department", the department of agriculture of the state of Missouri;**
- (3) "Director", the director of the department of agriculture of the state of Missouri;**
- (4) "Grower", any person who produces industrial hemp under license;**
- (5) "Hemp products", any products generated from the plant materials of industrial hemp;**
- (6) "Industrial hemp", Cannabis sativa L. containing no greater than one percent tetrahydrocannabinols (THC) and grown under license.**

265.715. 1. For purposes of practical research and commercial uses, the director shall license and authorize any person or entity engaged in:

- (a) Growing and maintenance of industrial hemp;**
- (b) Manufacture of products containing industrial hemp; and**
- (c) Regeneration of seed for the growth of industrial hemp.**

2. Licensure procedures developed by the director shall be reviewed by the general

assembly within forty-eight months to determine the necessity of continuation of the procedures or any revisions thereto.

** 265.720. 1. Licensed activities pursuant to section 265.715 shall be lawful to the extent granted by the license.**

** 2. The director may set by rule and collect reasonable fees from any applicant for the processing, investigation and maintenance of licensure applications. All fees collected shall be transmitted to the director of revenue for deposit into the general revenue fund.**

** 265.725. 1. The director shall administer and enforce the provisions of sections 265.700 to 265.750 and shall have authority to carry out such provisions. Such authority shall encompass all reasonable factors which the director deems necessary to determine and promote the economic viability of industrial hemp without enhancing or expanding any species of cannabis for illegal purposes. The director shall give consideration to pertinent research findings and recommendations of other agencies of this state, the federal government or other reliable sources.**

** 265.730. The director may enter into cooperative agreements with any agency of this state or its subdivisions, or with any agency of another state regarding industrial hemp programs under sections 265.700 to 265.750 for the purposes of securing uniformity throughout the state and the maintenance of public safety, health and welfare.**

** 265.735. The director may cooperate, receive grants-in-aid and enter into agreements with any agency of the federal government, of this state or its subdivisions, or with any agency of another state, in order:**

(1) To cooperate in the implementation and enforcement of industrial hemp laws through the use of state or federal personnel and facilities;

(2) To coordinate technical assistance for development of valid production research of industrial hemp; and

(3) To investigate the veracity of any information contained within any application for licensure.

** 265.740. The director may enter into agreements with higher education institutions to conduct practical research on commercial uses for industrial hemp.**

** 265.745. The director shall, in a timely manner, submit to the general assembly the results of any production research on the economic viability of industrial hemp and an analysis of other program operations resulting from state funding.**

** 265.750. Any person violating any of the provisions of sections 265.700 to 265.750 of this act is to be charged as established in chapter 195, RSMo.**

** Section B. Because of the immediate need for the department of agriculture to authorize crop planting for this growing season, this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval.**