

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2248

03/07/2019 Authored by Vang, Poppe and Gomez
The bill was read for the first time and referred to the Committee on Ways and Means

- 1.1 A bill for an act
- 1.2 relating to agriculture; modifying the definition of industrial hemp; establishing a
- 1.3 voluntary hemp certification program; amending Minnesota Statutes 2018, sections
- 1.4 18K.02, subdivision 3; 18K.06; proposing coding for new law in Minnesota
- 1.5 Statutes, chapter 18K.
- 1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.7 Section 1. Minnesota Statutes 2018, section 18K.02, subdivision 3, is amended to read:
- 1.8 Subd. 3. **Industrial hemp.** "Industrial hemp" means ~~the plant~~ any plant species of the
- 1.9 genus Cannabis sativa L. and any ~~part~~ parts of the plant, whether growing or not, including
- 1.10 the plant's seeds, and all the plant's derivatives, extracts, cannabinoids, isomers, acids, salts,
- 1.11 and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol
- 1.12 concentration of not more than 0.3 percent on a dry weight basis. Industrial hemp is not
- 1.13 marijuana as defined in section 152.01, subdivision 9.
- 1.14 Sec. 2. Minnesota Statutes 2018, section 18K.06, is amended to read:
- 1.15 **18K.06 RULEMAKING.**
- 1.16 (a) The commissioner shall adopt rules governing the production, testing, certification,
- 1.17 and licensing of industrial hemp.
- 1.18 (b) Rules adopted under paragraph (a) must include, but not be limited to, provisions
- 1.19 governing:
- 1.20 (1) the supervision and inspection of industrial hemp during its growth and harvest;
- 1.21 (2) the testing of industrial hemp to determine delta-9 tetrahydrocannabinol levels;

(3) the use of background check results required under section 18K.04 to approve or deny a license application; and

(4) any other provision or procedure necessary to carry out the purposes of this chapter.

(c) Rules issued under this section must be consistent with federal law regarding the production, distribution, and sale of industrial hemp.

Sec. 3. **[18K.10] MINNESOTA HEMP CERTIFICATION PROGRAM.**

Subdivision 1. **Program.** The commissioner must develop and implement a voluntary program to certify (1) industrial hemp produced pursuant to this chapter, and (2) products containing industrial hemp that was produced pursuant to this chapter.

Subd. 2. **Criteria.** The commissioner must develop certification criteria that conform with applicable federal standards and industry best practices. The criteria must include but are not limited to:

(1) the industrial hemp was grown by a person licensed under this chapter; and

(2) the industrial hemp or product containing industrial hemp has undergone laboratory or other testing as necessary to satisfy applicable state and federal labeling and food safety laws.

Subd. 3. **Marketing and promotion.** After adopting certification rules under section 18K.06, the commissioner's agricultural marketing and promotion efforts must include certified Minnesota industrial hemp.

Subd. 4. **Fee.** The commissioner may charge a fee for certification of Minnesota industrial hemp and products containing Minnesota industrial hemp. The fee must be commensurate with the commissioner's costs as provided under section 16A.1285, subdivision 2.