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State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2246

03/07/2019

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The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to agriculture; modifying definition of hemp; authorizing expedited
1.3 rulemaking; amending Minnesota Statutes 2018, sections 18K.02, subdivision 3;
1.4 18K.06.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 18K.02, subdivision 3, is amended to read:

1.7 Subd. 3. **Industrial hemp.** "Industrial hemp" means ~~the plant~~ any plant species of the
1.8 genus Cannabis sativa L. and any ~~part~~ parts of the plant, whether growing or not, including
1.9 the plant's seeds, and all the plant's derivatives, extracts, cannabinoids, isomers, acids, salts,
1.10 and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol
1.11 concentration of not more than 0.3 percent on a dry weight basis. Industrial hemp is not
1.12 marijuana as defined in section 152.01, subdivision 9.

1.13 Sec. 2. Minnesota Statutes 2018, section 18K.06, is amended to read:

1.14 **18K.06 RULEMAKING.**

1.15 (a) The commissioner shall adopt rules governing the production, testing, and licensing
1.16 of industrial hemp.

1.17 (b) Rules adopted under paragraph (a) must include, but not be limited to, provisions
1.18 governing:

1.19 (1) the supervision and inspection of industrial hemp during its growth and harvest;

1.20 (2) the testing of industrial hemp to determine delta-9 tetrahydrocannabinol levels;

- 2.1 (3) the use of background check results required under section 18K.04 to approve or
2.2 deny a license application; and
- 2.3 (4) any other provision or procedure necessary to carry out the purposes of this chapter.
- 2.4 (c) Rules issued under this section must be consistent with federal law regarding the
2.5 production, distribution, and sale of industrial hemp.
- 2.6 (d) The commissioner may use the expedited rulemaking process in section 14.389 to
2.7 adopt rules authorized under this section.