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## DIGEST

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HB 579 Original

2019 Regular Session

Connick

**Abstract:** Authorizes hemp farming and provides for regulation by the Dept. of Agriculture and Forestry.

Proposed law provides definitions for terms applicable to the growth and harvest of hemp. Specifically, proposed law defines hemp as the Cannabis sativa L. plant and any part of the plant that has a THC concentration of 0.3% or less on a dry weight basis.

Proposed law establishes hemp as an agricultural crop if grown by an individual licensed by the Dept. of Agriculture and Forestry.

Proposed law authorizes licensed individuals to plant, grow, harvest, possess, process, sell, or buy hemp.

Proposed law requires applicants for an hemp license to apply with the commissioner of agriculture and forestry and complete a state and national criminal history check.

Proposed law authorizes the commissioner to issue licenses to qualified persons and institutions of higher learning to grow hemp for research and educational purposes only.

Proposed law requires licensees to provide the following information to the commissioner:

- (1) Documentation showing that the seeds planted are of a type and variety certified to contain no more than 0.3% THC.
- (2) A copy of any contract to grow hemp.
- (3) Notification of the sale or distribution of any hemp grown by the licensee, including the name and address of the person or entity receiving the hemp and the quantity of hemp sold.

Proposed law requires the commissioner to adopt rules to provide for the following:

- (1) Testing the hemp during growth to determine THC levels.
- (2) Supervision of the hemp during its growth and harvest.
- (3) Assessment of a fee that is commensurate with the costs of the commissioner's activities in

licensing, testing, and supervising hemp production.

- (4) Rules relating to the production and sale of hemp consistent with the 2018 Farm Bill and any future rules promulgated by the U.S. Dept. of Agriculture.

Proposed law provides that growing hemp cannot be used as defense to a charge of criminal sale or distribution of marijuana if the cannabis plant does not meet the definition of hemp.

Present law provides for a definition of marijuana in the Uniformed Controlled Substances Act.

Proposed law exempts hemp grow in accordance with proposed law and the 2018 Farm Bill from the definition of marijuana.

Proposed law provides that penalties for cultivating, possessing, processing, and marketing hemp not in violation of proposed law and the 2018 Farm Bill are the same as penalties for cultivation, possession, processing, and marketing marijuana.

(Amends R.S. 40:961(26) and 964(Schedule 1)(C)(27); Adds R.S. 3:3691-3698 and R.S. 40:961(45) and R.S. 40:966(A)(3))