



# Industrial Hemp: Statute and Regulations



May 11, 2018

# What's Left for the Law

- ✓ Passed by the Senate
- ✓ Passed by the House
- ✓ Signed by the Governor
  - Officially became a law on April 20
- ✓ Published in the Kansas Register
  - Officially took effect on May 3

Arranged and published as a statute  
by the Revisor of Statutes

- Given K.S.A. numbers

# What's in the Law

- Section 1 – Definitions
  - “Certified seed”
  - “Delta-9 TetraHydroCannabinol concentration”
  - “Department”
  - “Hemp products”
  - “Industrial hemp”
  - “Seed research”
  - “State educational institution”

# What's in the Law

- Section 2 – The Meat of it All
  - The Department may
    - Cultivate industrial hemp
      - Alone or in coordination with a state educational institution
      - Grown from certified seed and
      - Promote the research and development of industrial hemp
  - The Secretary will create an advisory board
    - To review and recommend applications for pilot projects and research proposals
  - The Department will oversee and license all individuals participating in
    - The cultivation, growth, research, oversight, study, analysis, transportation, processing or distribution of certified seed or industrial hemp

# What's in the Law

- Section 2 – The Meat of it All (continued)
  - The Department will require anyone seeking a license
    - To be fingerprinted and
    - To submit to state and national criminal history record checks
  - The Secretary will develop rules and regulations to carry out the provisions of the Alternative Crop Research Act on or before December 31, 2018
  - The Department will submit a report to the legislature outlining the steps and timeline to implement a process that would allow individuals and businesses to grow and process industrial hemp and to sell it in other states by January 14, 2019.
  - Nothing in the Alternative Crop Research Act will allow anyone to violate any state or federal law.

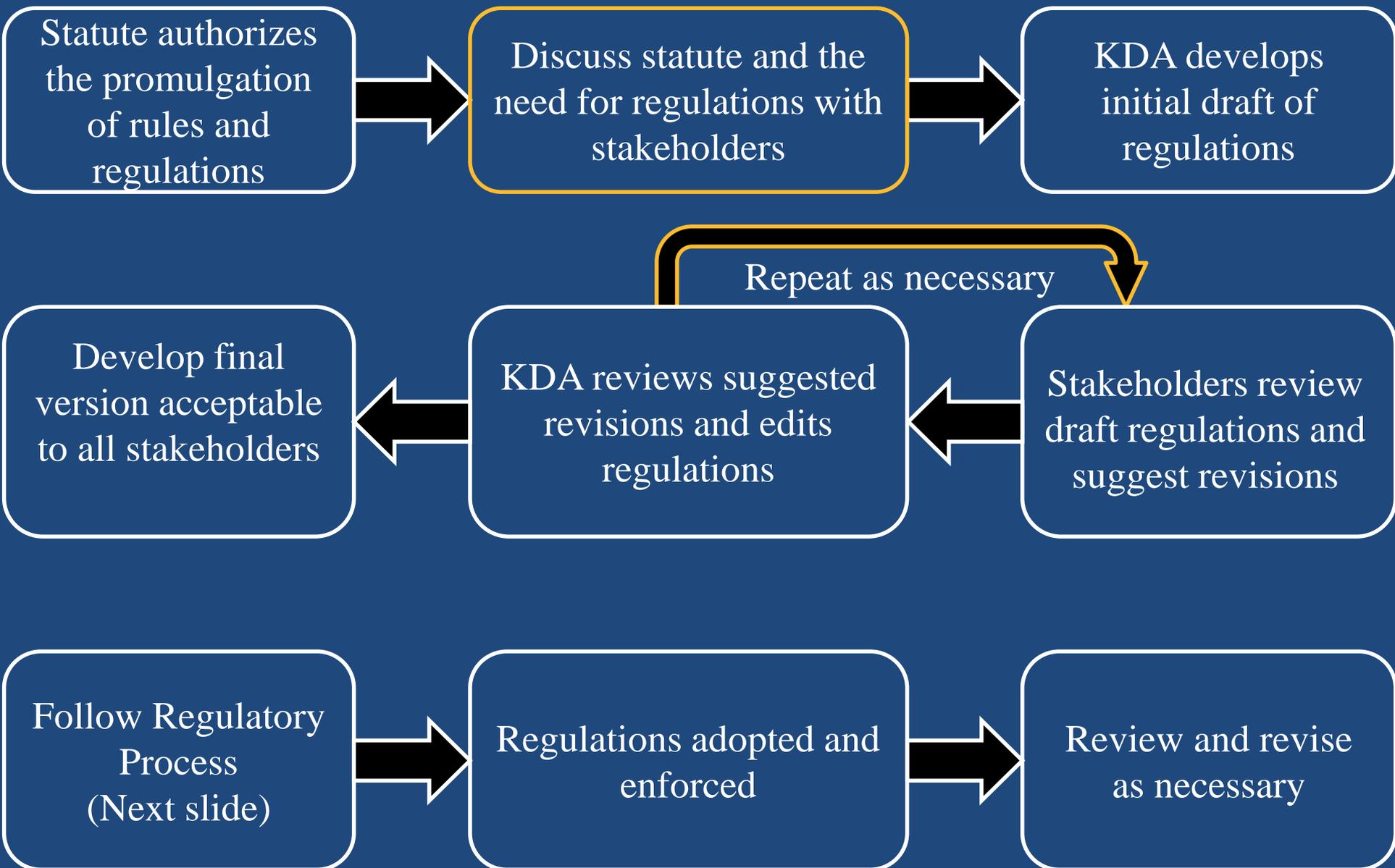
# What's in the Law

- Section 3 – Administrative
  - The state treasury has created the Alternative Crop Research Act Licensing Fee Fund to be administered by the Secretary
    - Only the Secretary of Agriculture can spend money from the Alternative Crop Research Act Licensing Fee Fund
    - The fees collected under the Alternative Crop Research Act will be deposited in the Alternative Crop Research Act Licensing Fee Fund
- ... and 12 pages of other stuff

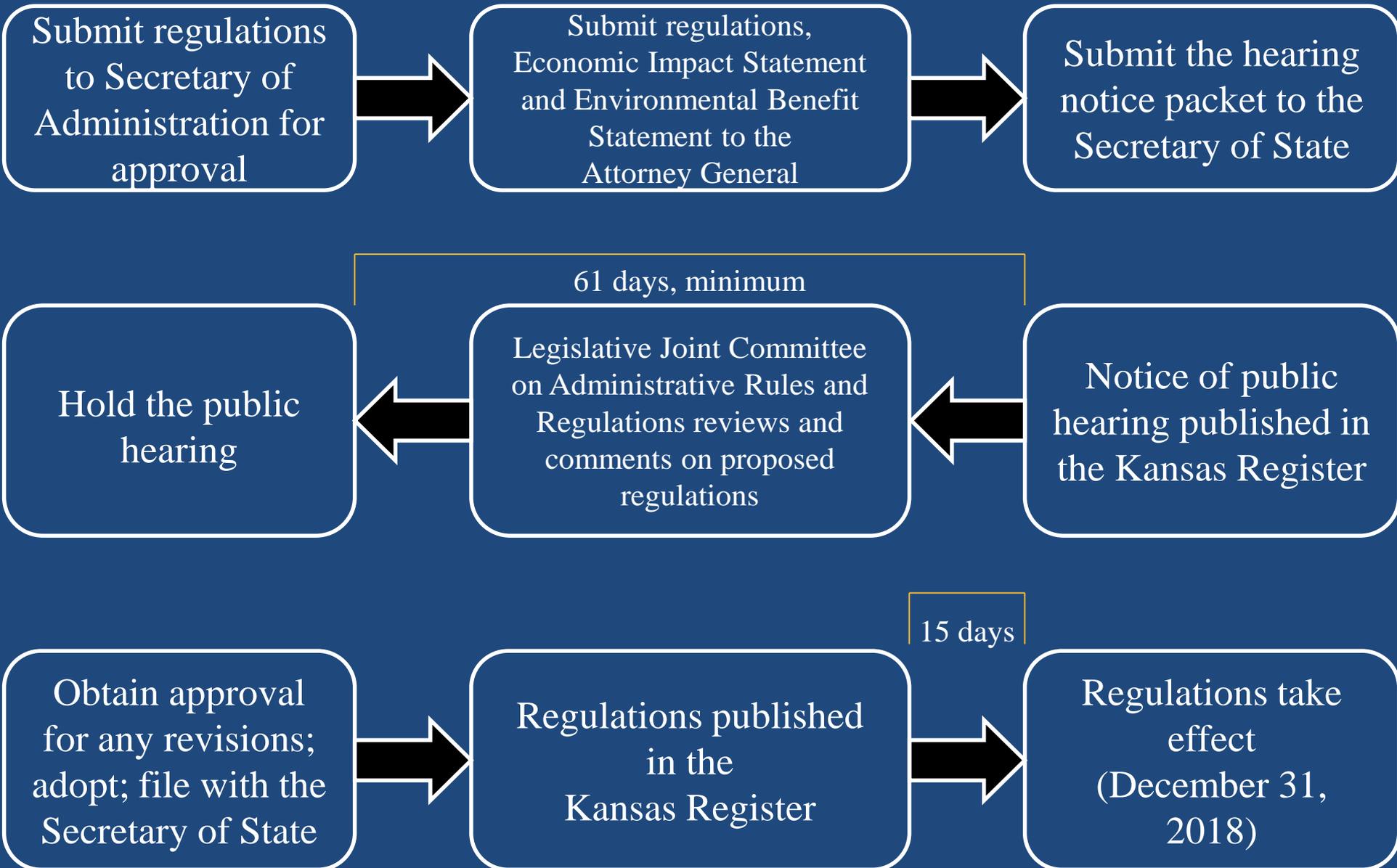
# So Now What?

- Need to develop regulations
  - Regulations explain how the law will be enforced
- Since the law requires the Department to oversee (enforce) the program, we can not start the program without regulations
- The process of developing, proposing and adopting regulations usually takes 12 to 18 months
  - We have 7 months
- How are regulations developed...?

# Developing Regulations



# Kansas Regulatory Process



# Industrial Hemp Regulations

## Required by the Alternative Crop Research Act

- Advisory Board
  - Section 2(b)
- Fingerprinting / background check
  - Section 2(d)(1)
- Conviction disqualifications
  - Section 2(d)(1)
- License in possession
  - Section 2(e)
- Licensing and renewal fees
  - Section 3(b)

# Industrial Hemp Regulations

## Necessary to enforce the Alternative Crop Research Act

- Application and Licensing Requirements
- Inspection / Sampling / Enforcement
- Laboratory Testing
- Production Requirements
- Forms and Reporting  
(Have to have paperwork)

# “Research” means...

- Oversight and analysis of industrial hemp (IH) research and analysis of soils, growing conditions and harvest methods for the production of varieties of IH suitable for commercial hemp products
- Seed research on types of IH that are best suited to be grown in Kansas, including production, availability, development or re-creation of better IH strains, creation of hybrid types and in-the-ground variety trials
- Analysis on the economic feasibility of developing an IH market in various types of IH that can be grown in Kansas
- Analysis on the value-added benefits, including environmental, that the state would reap by having Kansas-grown IH varieties
- A study on the worldwide agronomy research relating to IH varieties, production and utilization
- A study on the feasibility of attracting funding for IH research
- Pilot programs for economic development, research, cultivation, market analysis, manufacturing and transportation of IH and IH products.

# Thank You

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