

1 A bill to be entitled
 2 An act relating to industrial hemp programs; creating
 3 s. 570.085, F.S.; providing legislative findings;
 4 providing definitions; authorizing specified state
 5 colleges and universities to engage in industrial hemp
 6 programs under certain conditions; providing the
 7 purpose of the program; requiring a participating
 8 college or university to establish an Office of
 9 Industrial Hemp Program Compliance to manage the
 10 program and enforce rules regulating the program;
 11 providing for partnerships in implementing programs;
 12 requiring a report to the Governor and Legislature;
 13 directing the Department of Agriculture and Consumer
 14 Services to adopt specified rules; providing an
 15 effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Section 570.085 Florida Statutes, is created to
 20 read:

21 570.085 Industrial hemp programs.—

22 (1) The Legislature finds that:

23 (a) Industrial hemp is a suitable crop for this state, and
 24 its production will contribute positively to the future of
 25 agriculture in the state.

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26 (b) The infrastructure needed to process industrial hemp
27 will increase business opportunities and new jobs in communities
28 throughout the state.

29 (c) As a food crop, industrial hemp seeds and oil produced
30 from the seeds have high nutritional value, including healthy
31 fats and proteins.

32 (d) As a fiber crop, industrial hemp can be used in the
33 manufacture of products such as clothing, building supplies, and
34 animal bedding.

35 (e) As a fuel crop, industrial hemp seeds can be processed
36 into biodiesel and stalks can be pelletized or flaked for
37 burning or processed for cellulosic ethanol.

38 (f) The production of industrial hemp can play an
39 important role in farm land management as part of a crop
40 rotation system.

41 (2) As used in this section, the term:

42 (a) "Industrial hemp" means the plant *Cannabis sativa L.*
43 and any part of such plant, whether growing or not, with a
44 delta-9 tetrahydrocannabinol concentration of not more than 0.3
45 percent on a dry-weight basis. Industrial hemp includes products
46 imported under the Harmonized Tariff Schedule, 2013, of the
47 United States International Trade Commission, including hemp
48 seed per subheading 1207.99.03, hemp oil per subheading
49 1515.90.80, oilcake per subheading 2306.90.01, true hemp per
50 heading 5302, true hemp yarn per subheading 5308.20.00, and

51 woven fabrics of true hemp fibers per subheading 5311.00.40. A
52 plant that meets the definition of "industrial hemp" under this
53 subsection is not "cannabis" as defined in chapter 893.

54 (b) "Industrial hemp project" means a project associated
55 with an industrial hemp program that includes any aspect of
56 research, cultivation, harvesting, processing, testing,
57 marketing, commercial sales, and uses of approved industrial
58 hemp agricultural, industrial, and commercial products.

59 (c) "Qualified program personnel" means persons certified
60 by the Office of Industrial Hemp Program Compliance to work on
61 an industrial hemp project. At a minimum, a person applying for
62 certification must be 18 years of age or older, pass a criminal
63 background check, and be either employed by or enrolled in the
64 college or university.

65 (3) Any college or university in the state that has a
66 college of agriculture, upon approval by its board of trustees,
67 may engage in an industrial hemp program consistent with this
68 section and all other state and federal laws.

69 (4) Subject to an affirmative vote of the board of
70 trustees of a college or university specified in subsection (3),
71 an industrial hemp program shall be established at that college
72 or university. The purpose of the program is to conduct projects
73 related to the research, cultivation, harvesting, processing,
74 testing, marketing, commercial sales, and uses of industrial
75 hemp and to identify rural areas of the state that would benefit

76 from the commercialization of industrial hemp.

77 (5) In implementing an industrial hemp program, the
78 college or university shall establish an Office of Industrial
79 Hemp Program Compliance. The office shall manage the program and
80 enforce rules regulating the program consistent with rules
81 adopted by the department. The college or university shall adopt
82 rules to ensure the proper operation and security of the
83 program. At a minimum, the rules must:

84 (a) Designate the physical location of the industrial hemp
85 project facility. Areas must be designated within the facility
86 as general access or limited access. An area where industrial
87 hemp is cultivated, processed, stored, or packaged, or where
88 industrial hemp research is conducted, must be designated as
89 limited access. Access to limited-access areas is restricted to
90 qualified program personnel and authorized visitors accompanied
91 at all times by qualified program personnel. All other areas of
92 the project facility may be designated as general access and
93 open to authorized visitors accompanied or not accompanied by
94 qualified program personnel.

95 (b) Establish minimum security standards for the growing,
96 handling, and processing of industrial hemp, including:

97 1. Lawful growing, planting, treating, fertilizing,
98 pruning, and tending hemp plants.

99 2. Biotracking and testing industrial hemp plants to
100 ensure that all samples comply with the chemical properties

101 defined in paragraph (2) (a).

102 3. Processing and disposal requirements for any waste
103 containing any hemp material that does not meet the standards
104 defined in paragraph (2) (a).

105 4. Storage, processing, product development, and
106 transportation requirements for hemp material.

107 5. Packaging, labeling, and tracking requirements for hemp
108 material.

109 (c) Facilitate coordination with state and local law
110 enforcement agencies to ensure the program complies with this
111 section and other state and federal laws.

112 (d) Establish a seed-to-product testing program and
113 research protocols to ensure the proper chemical composition and
114 labeling of hemp material.

115 (6) (a) To the fullest extent feasible, an industrial hemp
116 program shall be financed through private resources. A college
117 or university that implements an industrial hemp program
118 pursuant to this section shall pursue and develop partnerships
119 with private investors that demonstrate successful
120 entrepreneurial experience with industrial hemp and that are
121 interested in participating in the industrial hemp program.
122 These partnerships shall be structured to minimize any risk to
123 the college or university and to maximize the effectiveness of
124 the program.

125 (b) To the fullest extent feasible, industrial hemp

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126 | projects should be implemented in rural agricultural areas of
127 | the state where the potential for enhancing agricultural
128 | economic development is high.

129 | (7) Within 4 years after implementing an industrial hemp
130 | program, the college or university shall submit a report to the
131 | Governor, the President of the Senate, and the Speaker of the
132 | House of Representatives on the status of the program and any
133 | research related to the cultivation, harvesting, processing, and
134 | uses of industrial hemp, as well as identification of rural
135 | areas of the state that would benefit from the commercialization
136 | of industrial hemp and any recommendations for implementing such
137 | commercialization.

138 | (8) The department shall adopt rules as required under 7
139 | C.F.R. s. 5940 of the United States Agricultural Act of 2014 to
140 | implement this section.

141 | Section 2. This act shall take effect upon becoming a law.