

# Industrial Hemp Research

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*Minnesota Law 2014; HF3172-3 (SF2785); Chapter 312; Art.  
12; Sec. 3*



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# Table of Contents

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<b>Executive Summary.....</b>	<b>3</b>
<b>Introduction.....</b>	<b>3</b>
<b>Background.....</b>	<b>4</b>
<b>Surveys.....</b>	<b>5</b>
<b>Survey of U.S. States.....</b>	<b>5</b>
<b>Survey of Minnesota Institutions of Higher Education.....</b>	<b>9</b>
<b>NASDA Industrial Hemp Workgroup Summary/NCSL Data.....</b>	<b>14</b>
<b>State Information Table (NASDA).....</b>	<b>14</b>

Pursuant to Minn. Stat. § 3.197, the cost of preparing this report was approximately **\$4,142.00**.

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# Executive Summary

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Through the direction of the Minnesota Legislature, the Minnesota Department of Agriculture (MDA) developed a national survey of states regarding their interests in industrial hemp production and research as it pertained to provisions outlined in Public Law 113-79 (Agriculture Act of 2014 or “The Farm Bill”). A companion survey was also designed to gauge the interest of Minnesota institutions of higher education regarding research of industrial hemp. In addition to both surveys, the MDA reviewed recent summary information from the National Association of State Departments of Agriculture’s (NASDA) Industrial Hemp Workgroup pertaining to current state laws and legislative activities. Results from both surveys and the NASDA summary were cross-referenced with data published on the National Conference of State Legislatures’ website regarding state industrial hemp statutes (current as of September 2014) - <http://www.ncsl.org/research/agriculture-and-rural-development/state-industrial-hemp-statutes.aspx> -and Vote Hemp - <http://www.votehemp.com/> - a non-profit pro industrial hemp lobby group that follows hemp legislation nationally.

Survey results and NASDA data of the U.S. states showed that there is a significant amount of activity occurring nationally regarding industrial hemp legislation and development of research programs. Most of this state activity has been occurring well before the adoption of Public Law 113-79. Survey data also showed that a majority of states feel that even though they may not have current laws established, legislation will most likely be passed in the near future supporting either industrial hemp production or research programs. It was also felt that in some cases legislation would be passed regardless of Public Law 113-79, but that the provisions within will most likely increase the likelihood of success. NASDA and NCSL data show that nineteen states have already passed laws for industrial hemp production or research that were not dependent on the recently created provisions in Public Law 113-79. Vote Hemp has reported that three states, Colorado, Kentucky, and Vermont, have recently initiated research programs in accordance with state law and the provisions in the 2014 Farm Bill. Because the Farm Bill legislation is new and the fact that so many states already have been pursuing production and research agendas for hemp, there is still a lot to be determined on how individual states will adopt any of the industrial hemp research/pilot program provisions. The conclusion of the 2015 state legislative sessions will certainly give a much better picture of this situation.

Survey results from the institutions of higher education in Minnesota showed that there was still a lack of knowledge regarding the recent Farm Bill provisions. There were 13 respondents, 12 from the University of Minnesota and 1 from the Minnesota State Colleges and Universities system, and less than half of them had heard of the provisions in Public Law 113-79. However, a majority of respondents were interested in being involved with some type of research regarding industrial hemp. Those interested respondents indicated that they would like to study the physiological aspects and cultivation practices of industrial hemp varieties the most. Of the 13 total respondents, a large majority (> 70%) felt that the Minnesota Legislature should pursue the development of an agricultural pilot program for industrial hemp that would provide both opportunities for research and to learn more about the opportunities for hemp production in the state. One University of Minnesota researcher has already applied for a U.S. Drug Enforcement Agency permit to begin legally researching various aspects of hemp varieties. The DEA is still reviewing his permit request at the time of this report.

## Introduction

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In 2014, the Minnesota Legislature requested that the Minnesota Department of Agriculture develop a report that: 1) examined how U.S. states are implementing the industrial hemp research authority provided in Public Law 113-79 and 2) gauge the interest of Minnesota higher education institutions for conducting research on industrial hemp if a state pilot program were developed. The following report is a summary of both directives.

# Background

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*Cannabis sativa* (L.), commonly referred to as hemp, industrial hemp, or marijuana, is a plant that is regarded by some as a miracle and by others as a menace. The form of *C. sativa* grown for fiber and oilseed is generally referred to as hemp and has a long history of agronomic production in the United States until the 1940s when federal and state legislation made it illegal to produce and/or possess. *Cannabis sativa* produces the chemical delta-9 Tetrahydrocannabinol (THC) that causes varying degrees of psychoactive behavior in humans depending on the concentration. High THC varieties are referred to as marijuana; whereas, low THC varieties (< 0.3% THC) are commonly referred to as hemp.

Over the past two decades there has been a resurgence of industrial hemp production world-wide and many countries have adopted strict regulatory procedures to allow low THC varieties to be planted as hemp for fiber, oilseed, biofuels, etc. These low THC varieties do not produce the drug effects that are commonly desired from marijuana. Canada is currently the only country in North America that allows for the national production of low THC industrial hemp varieties. In the United States, a growing number of states have passed or continue to introduce legislation to either legalize production of industrial hemp or to develop research programs that seek to study the impacts that hemp agriculture would have in their regions. However, the U.S. government still deems all varieties of *C. sativa* illegal regardless of cannabinoid content.

The United States Controlled Substances Act (CSA), which determines the legality of *C. sativa*, does not distinguish between hemp and marijuana. Traditional industrial hemp varieties with less than 0.3% THC are not differentiated from high THC content marijuana under the CSA. Therefore, federal law considers all *C. sativa* varieties as controlled substances in the United States and the Drug Enforcement Agency (DEA) must grant a permit to anyone proposing to grow or possess *C. sativa*. Minnesota State Law, Chapter 152, lists marijuana, tetrahydrocannabinols, and synthetic cannabinoids as Schedule 1 Controlled Substances which are illegal to possess, grow, or manufacture. Under this law marijuana is defined as “*all part of the plant of any species of the genus Cannabis, including all agronomical varieties, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin, but shall not include the mature stalks of such plant, fiber from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination*”.

Recently, many states have enacted their own laws that allow the production and growth of both hemp and marijuana and products associated with the *Cannabis* plant. Currently, there are no laws providing for industrial hemp production in Minnesota. In 2014, Minnesota State Law, Chapter 311 was created making it legal to produce *medical cannabis* which is defined as “*any species of the genus Cannabis, or a mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of a liquid, pill, vaporized liquid, or any other method, excluding smoking, that is approved by the commissioner of Health*”. Although it is now legal to produce *medical Cannabis* in Minnesota, it is still illegal to grow or possess any form of *C. sativa* under Minnesota Law, Chapter 152.

In 2014, the federal government passed Public Law 113-79 which created a provision in the Farm Bill to allow for the development of research pilot programs by state departments of agriculture and institutions of higher education within those jurisdictions where laws exist that provide for the growing, cultivation, or marketing of industrial hemp. The pilot program must adhere to the laws of that state and ensure that only institutions of higher education and/or the state department of agriculture grow and produce industrial hemp. The provisions also require that sites used for growing or cultivating industrial hemp be certified and registered with the state department of agriculture and authorizes those departments to oversee and enforce all regulations pertaining to the program. This provision also defines industrial hemp for the first time in Federal Law as “*Cannabis sativa L. and any part of such*

plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis”.

## Surveys

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To complete the two objectives requested by the Minnesota Legislature as part of this report, the MDA developed a plan to contact all of the U.S. states and Minnesota institutions of higher education to gain a better understanding of their interest and knowledge regarding the industrial hemp research provisions in Public Law 113-79. Besides finding representatives from all 50 states, the fact that Minnesota has a significant number of public and private colleges and universities was somewhat of a challenge. Therefore, two surveys were created for this report. One survey was created to gauge the interests of Minnesota higher education institutions regarding industrial hemp research and the other was designed to collect information on how individual states would be implementing the industrial hemp research authority in the Farm Bill. These surveys were designed to be simple and to learn if the states or Minnesota universities and colleges responding were aware of Public Law 113-79 and if so, how they would implement those provisions or conduct research accordingly.

### Survey of U.S. States

From July through September 2014, the Minnesota Department of Agriculture (MDA) developed a nationwide survey and distributed it to all 50 U.S. states through the National Plant Board (NPB) email server. The NPB was used because all U.S. states are represented through their State Plant Regulatory Officer and would either have direct knowledge of industrial hemp activities in their state or would be able to connect with the proper officials. The survey was designed to be simple, targeted state departments of agriculture, and consisted of questions that were intended to examine how other states were planning to implement the industrial hemp research authority provided in Public Law 113-79. If a state department of agriculture official receiving the survey was not the best spokesperson for industrial hemp or *Cannabis*, they were asked to forward the survey to the most knowledgeable officials in their state that could provide accurate information.

The first survey question collected respondents contact information and the final question asked if they wanted a copy of the survey results sent to them. Therefore, the following summary will exclude data from the first and last questions. In all, thirty-four states (60%) responded and screenshots of the data are provided at the end of this survey report. All percentages shown are based on the comparative total of responses for that particular question.

Respondents were first asked about what types of activity their states are involved with regarding the *Cannabis* plant in general. Of the thirty-four states responding, twenty states (59%) indicated that they had laws regarding marijuana (*Cannabis* containing > 0.3% THC). Seventeen of those twenty states had medical marijuana laws (85%), three had consumptive/recreational laws (15%), and seven states (35%) reported having leniency laws for marijuana convictions. Twenty-one states (66%) indicated that there was interest from producers and institutions of higher education within their states to promote and/or research the possibilities for industrial hemp agriculture. Eleven states (34%) responded that there was no interest for industrial hemp production or research in their jurisdictions and two states did not respond.

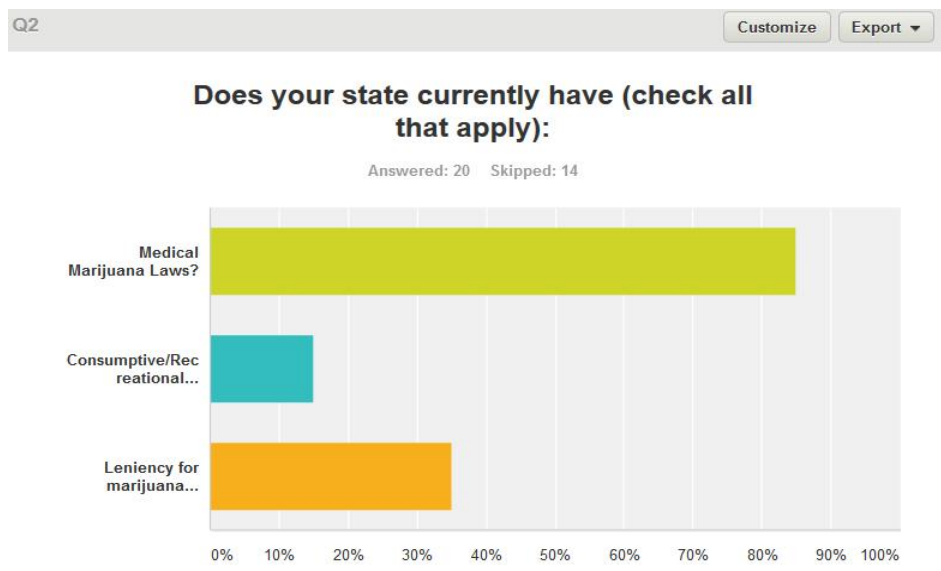
When asked if their state currently had laws for industrial hemp research and/or production, ten states (29%) indicated that they did have laws while twenty-four states (71%) responded that they did not. Several states, including California, Washington, Maryland, Montana, Oregon, North Dakota, Vermont, Hawaii, Kentucky, Nebraska, Colorado and Missouri indicated that they currently have industrial hemp laws. California and Kentucky have very ambitious programs already in place, while other states like

North Dakota have passed laws years ago to establish programs but have not been able to progress until recently due to federal resistance. Additionally, several states are still trying to get final approvals within their legislatures to move forward.

Four states (12%) indicated that they either had research efforts occurring or were planning research on industrial hemp in the near future. All other respondents (88%) indicated that their states were not aware of any plans to research industrial hemp in the near future. Respondents in states with no industrial hemp production laws or planned research efforts were asked to consider how their states may react to various aspects of the *Cannabis* plant in the near future. Ten states (36%) agreed that they would have industrial hemp laws within a few years, 4 states (14%) disagreed, and 13 states (46%) were unsure. Eleven states (39%) agreed that they would most likely pursue industrial hemp research as a result of the provisions in Public Law 113-79, four states disagreed (14%), and eleven states (39%) were unsure. However when asked if their state would ignore industrial hemp production altogether, only 2 states (7%) agreed, 16 states (57%) disagreed, and nine (32%) were unsure. Interestingly, of the twenty-eight states responding to these questions, 4 states (14%) believed in the near future that they would pass recreational marijuana laws and 11 states (39%) believed they would pass medical marijuana laws.

A question was also created to allow respondents to provide additional comments regarding industrial hemp in their state. Comments ranged from concerns about the Federal Drug Enforcement Agency not recognizing *Cannabis* in any form as a legal product, to the lack of state legislature's interest in passing laws for industrial hemp production or research.

The following screenshots show the individual questions and results from the national survey of states.



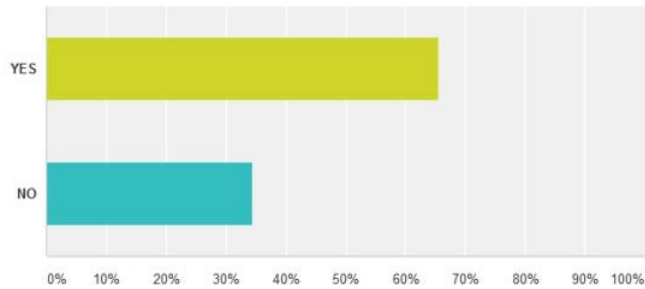


Q3

Customize Export

**Is there any interest within your state from agricultural producers or institutions of higher education to promote or research the possibilities for industrial hemp agriculture?**

Answered: 32 Skipped: 2

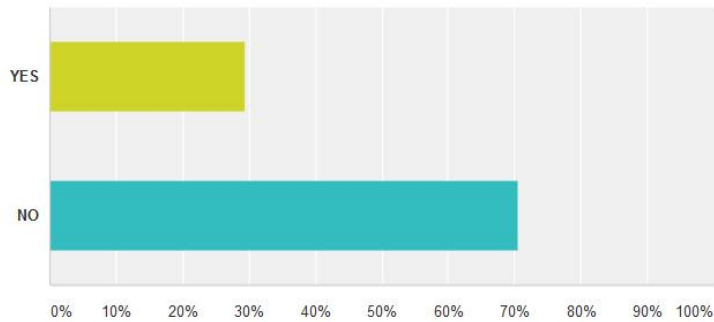


Q4

Customize Export

**Does your state currently have laws that support the development or research of industrial hemp production?**

Answered: 34 Skipped: 0

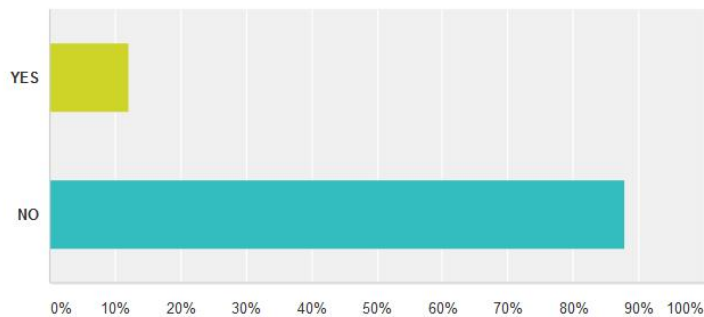


Q5

Customize Export

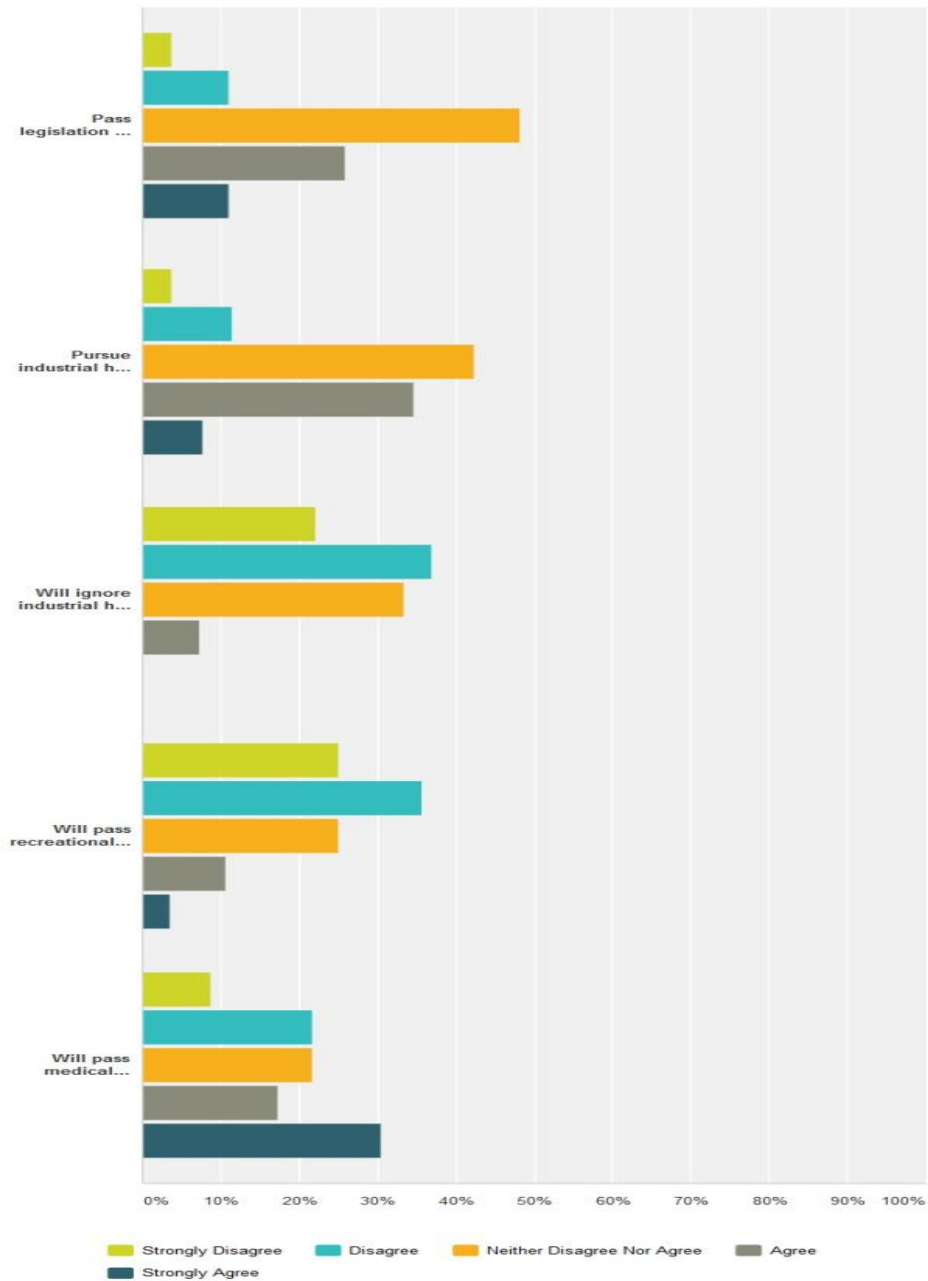
**Are there any research efforts occurring within your state or being planned in regards to the language provided in the 2014 Farm Bill (Public Law 113-79)?**

Answered: 33 Skipped: 1



**If your state is not currently promoting industrial hemp production or research, do you feel that within the next few years your state will:**

Answered: 28 Skipped: 6





## Survey of Minnesota Institutions of Higher Education

From September to December 2014, the Minnesota Department of Agriculture (MDA) surveyed universities and colleges throughout the state to gauge the interest that faculty and graduate students may have regarding the implementation of the industrial hemp research authority provided in public Law 113-79. A survey was distributed to potential researchers at the University of Minnesota (U of M), Minnesota State Colleges and Universities (MNSCU), and those represented by the Minnesota Private College Council (MPCC).

In early August, MDA made contacts with the U of M to distribute the survey through email servers to campuses in the Twin Cities, Crookston, Duluth, Morris, Rochester, and 19 other regional extension offices and research centers affiliated with their university system. Additionally, contacts were also made with the MNSCU Chancellor's Office, representing 54 campuses across the state, and the Minnesota Private College Council which represents 17 private colleges, to distribute through their email servers.

Similar to the survey of states, the first question collected contact information and the final question asked if the respondents wanted a copy of the survey results sent to them. Therefore, the following summary will exclude data from the first and last questions. Overall, thirteen respondents completed this survey, twelve from the U of M and one from the MNSCU system. No responses were obtained from the seventeen private colleges that the survey was sent to.

When respondents were asked if they were aware of the recent provisions in Public Law 113-79 regarding industrial hemp research, seven respondents were not aware (64%) and six respondents (46%) were familiar with the provisions. When asked if they would be interested in studying the growth, cultivation or marketing of industrial hemp, eight respondents (62%) were interested and five respondents (38%) were not.

Of the eight respondents indicating they were interesting in pursuing hemp research, they were then asked to provide an indication of what areas of industrial hemp research that interested them based on four categories: 1) Physiological Aspects and Growth of Varieties 2) Cultivation Practices 3) Marketing of Industrial Hemp Products and 4) Economics. Seven of the eight respondents provided information to this question and 86% indicated that they were interested in studying the physiological aspects and growth of industrial hemp varieties, 57% were interested in studying cultivation practices, and 28% were interested in studying both the economics and marketing of industrial hemp.

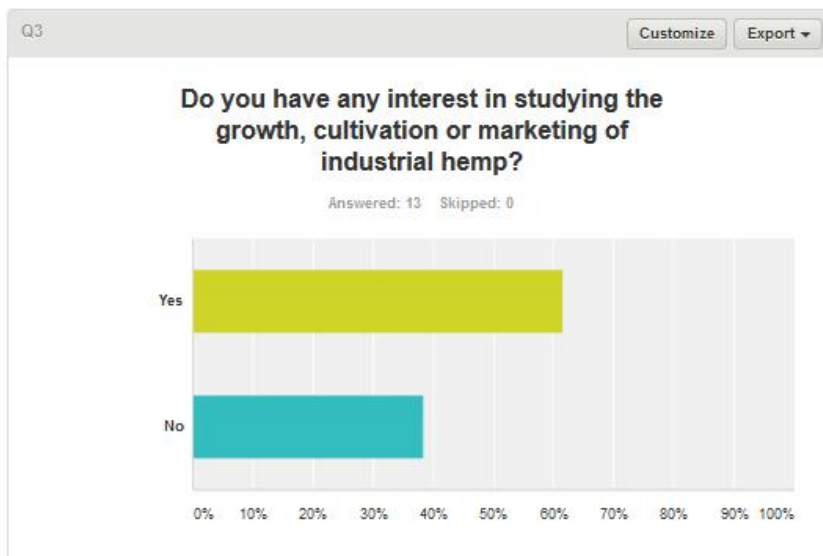
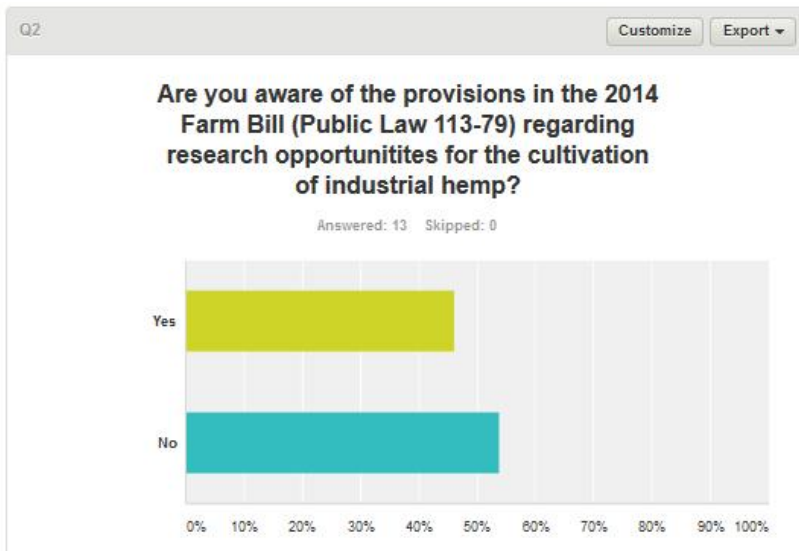
All survey participants were asked if they thought the Minnesota Legislature should develop an industrial hemp pilot program as outlined in Public Law 113-79. Of the 13 respondents, a strong majority (77%) agreed that the legislature should develop a pilot program, one was opposed, and two had no opinion.

When asked if they would participate in research if a pilot program for industrial hemp were developed in Minnesota, seven respondents said yes (54%) and six responded no (46%). Those that responded yes (plus one of the no respondents) provided an estimation of funding and number of years for their participation in a pilot program. The majority of respondents indicated that they would need at least \$60,000 and at most \$500,000 to fund their research initiatives. They also indicated that it would take an average of approximately 4 years to complete their research.

A final survey question was provided to allow for additional comments that respondents may have had. Seven respondents provided additional comments and four of the seven comments were positive towards industrial hemp production in Minnesota, while the other three were negative. Positive comments included statements of added economic value, source for green chemical feedstock, existing research and demonstration farms to begin a pilot program, and increased crop sustainability for Minnesota farmers. Negative comments indicated that hemp would not provide any additional products

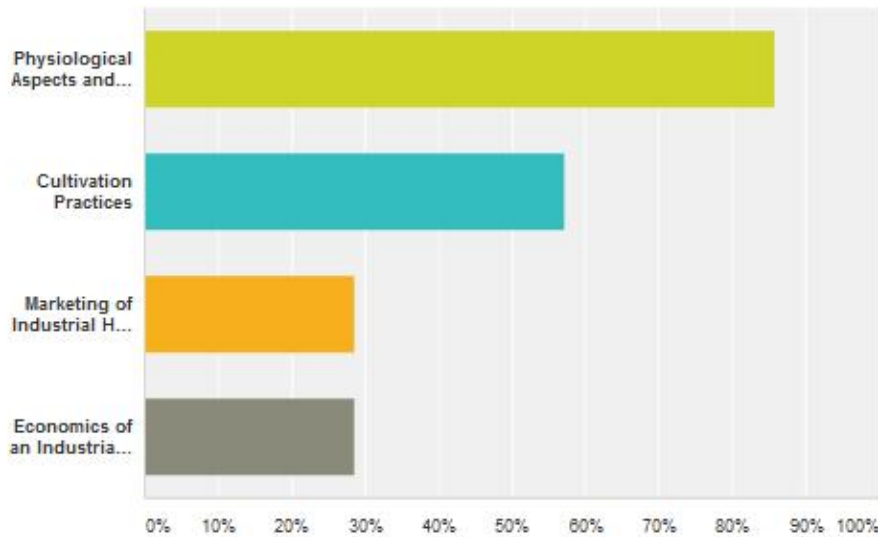
that are not already being met by existing agronomic crops, if hemp were to be grown similarly to corn and soybeans it would further endanger water quality, and the MDA would be better off spending resources in other areas.

Screenshots of the survey results are provide below.



### If you answered Yes to Question 3, what areas of research most interest you? (Check all that apply)

Answered: 7 Skipped: 6



Answer Choices	Responses
Physiological Aspects and Growth of Industrial Hemp Varieties	85.71% 6
Cultivation Practices	57.14% 4
Marketing of Industrial Hemp Products	28.57% 2
Economics of an Industrial Hemp Production Program in Minnesota	28.57% 2

Total Respondents: 7

[Comments \(4\)](#)

● **Responses (4)**
▲ Text Analysis
🔍 My Categories

Categorize as...
Filter by Category
(Search responses) 🔍 ?

Showing 4 responses

**Developing gene markers to help identify lines good from MN**  
11/6/2014 10:08 AM [View respondent's answers](#)

**hemp metabolism and chemistry**  
11/6/2014 8:54 AM [View respondent's answers](#)

**Sustainable cultivation practices**  
11/6/2014 8:10 AM [View respondent's answers](#)

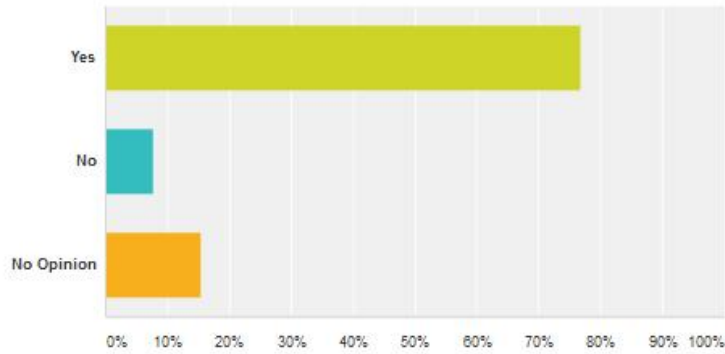
**Genetic regulation of shoot architecture**  
10/28/2014 3:56 PM [View respondent's answers](#)

Q5

Customize Export

**Should the Minnesota Legislature develop laws governing the production of industrial hemp and develop an agricultural pilot program as defined in Public Law 113-79?**

Answered: 13 Skipped: 0

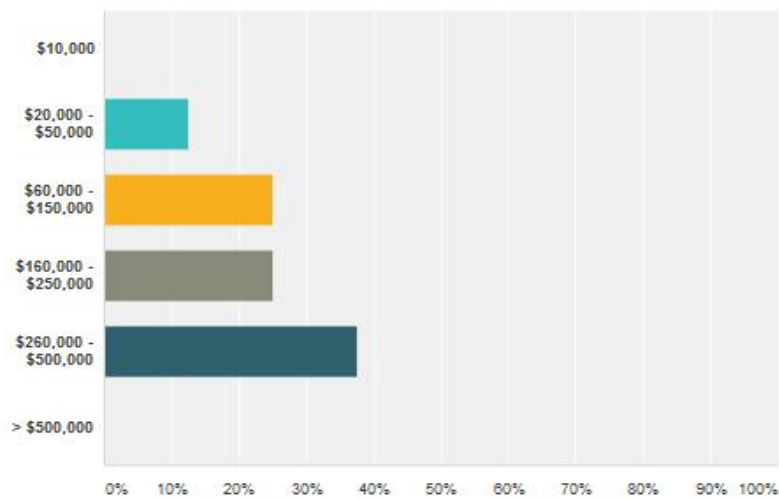


Q7

Customize Export

**If you answered Yes to Question 6, how much funding would you estimate to complete your research (total funding)? Please put a number in the comment box indicating the years this money would fund.**

Answered: 8 Skipped: 5



## Additional Comments?

Answered: 7 Skipped: 6

● Responses (7)

▲ Text Analysis

▾ My Categories

Categorize as... ▾

Filter by Category ▾

Search responses



Showing 7 responses

We have 1400 acres of research & demonstration already with capacity to fit this in.

12/19/2014 12:46 PM [View respondent's answers](#)

This will provide a great economic opportunity for this state. Both hemp fiber and seeds have high value.

11/8/2014 10:08 AM [View respondent's answers](#)

There is great deal of potential for hemp as a green chemical feedstock for industry that has been largely untapped in this country due to prior restrictions!

11/6/2014 8:54 AM [View respondent's answers](#)

Hemp would provide little benefit to the landscape, since it would be grown in a manner similar to corn and soybean—which are currently endangering the water quality of the state. If we are going to develop new crops for MN, we must insist that these crops provide environmental services—erosion control, carbon sequestration, and clean water.

11/6/2014 8:22 AM [View respondent's answers](#)

I would be most interested if perennial varieties could be developed.

My understanding is that industrial hemp provides no products that are not already met by other crops. I suspect industrial hemp is more of a social fad than a useful crop. MDA's dollars probably could be spent better on other new crops that have more valuable end-products, and that provide ecosystem services, such as pollinator forage, N & P sequestration, and over-winter erosion control.

11/6/2014 7:13 AM [View respondent's answers](#)

The benefits of industrial hemp are well known and the development of this crop will undoubtedly lead to increased profitability and sustainability for growers in Minnesota. MDA should work towards implementing policies at the state level that allow UMN faculty to work in this area.

10/28/2014 3:56 PM [View respondent's answers](#)

# NASDA Industrial Hemp Workgroup Summary/NCSL Data

The National Association of State Departments of Agriculture (NASDA) has organized an Industrial Hemp Workgroup that has identified existing state laws and current legislation for industrial hemp production and research throughout the United States. The data shared with MDA from NASDA's Industrial Hemp Workgroup is current as of 12/15/2014. The NASDA data is also supported by state legislative summaries provided by the National Conference of State Legislatures (NCSL) - <http://www.ncsl.org/research/agriculture-and-rural-development/state-industrial-hemp-statutes.aspx>

According to the most recent data, nineteen states have passed legislation for industrial hemp production and/or research programs. These states include California, Colorado, Delaware, Hawaii, Illinois, Indiana, Kentucky, Main, Missouri, Montana, Nebraska, North Dakota, Oregon, South Carolina, Tennessee, Utah, Vermont, Washington, and West Virginia. Ten states have passed hemp study bills for the 2015 legislative sessions including Arkansas, Connecticut, Illinois, Maine, Minnesota, New Hampshire, New Mexico, North Carolina, North Dakota and Vermont. Several states have introduced bills that are pending further action.

Additionally, according to data compiled from the non-profit industrial hemp organization Vote Hemp (<http://www.votehemp.com/index.html>), three states – Colorado, Kentucky, and Vermont – have initiated research programs in accordance with Public Law 113-79; three states – Hawaii, Kentucky, and Maryland - have passed bills creating commissions or authorizing research, and nine states have successfully passed hemp resolutions – California, Colorado, Illinois, Montana, New Hampshire, New Mexico, North Dakota, Vermont and Virginia.

## State Information Table

The following table is a summary result of NASDA's Industrial Hemp Workgroup and is provided in this report to show state activities regarding industrial hemp. The information for this table was supplied by individual state representatives participating with the workgroup. The data from this table is used to provide additional data to this legislative report.

<b>NASDA Industrial Hemp Workgroup: Compilation of State Status (As of 12-15-14)</b>			
State	Session Year	Bill Number	Status
Alabama	2014	<a href="#">HB 487</a>	Controlled substances, Schedule I, marijuana, term excludes industrial hemp, Sec. 20-2-23 am'd. Introduced on 2/13/2014. Read for the first time and referred to the House of Representatives committee on Judiciary on 2/13/2014.
Arizona	2014	<a href="#">HB 2558</a>	HB 2558 - Defines industrial hemp. Introduced on 1/21/2014. Assigned to Rules Committee 4/23/2014.



## NASDA Industrial Hemp Workgroup: Compilation of State Status (As of 12-15-14)

State	Session Year	Bill Number	Status
		<a href="#">SB 1122</a>	SB 1122 - Defines industrial hemp. Introduced on 1/21/2014. Failed in Judiciary Committee 2/17/2014.
California	2014	<a href="#">SB 1304</a>	Amends S.64, S.81006 of the Food & Agricultural Code to create an exception for industrial hemp when grown by an established agricultural research institution or a registered seed breeder. Introduced on 2/21/14. Passed Senate on 5/15/14. Assembly read second time. Ordered to consent calendar 6/11/2014.
Colorado	2014	<a href="#">SB14-184</a>	Concerning oversight of the Industrial Hemp Program. Introduced in the Senate on 4/4/2014. Waiting on Governor's signature 5/12/2014.
Connecticut	2014	<a href="#">HB 5476</a>	To require a study of the feasibility of legalizing industrial hemp production, possession and sales. Introduced and referred to Joint Committee on General Law on 3/4/2014. Public Hearing on 3/11/2014. <b>HB 5476 Signed by Governor on 6/12/2014.</b>
Delaware	2014	<a href="#">HB 385</a>	An act to amend Title 3 of the Delaware Code relating to industrial hemp. Introduced in the House on 6/5/2014. <b>HB 385 signed by Governor on July 29, 2014.</b>
Hawaii	2014	<a href="#">SB 2175</a>	SB 2175 - Authorizes the growing of industrial hemp for certain purposes under specified conditions. Introduced in the Senate and first reading on 1/16/2014. Referred to AGL/PSM, CPN/JDL on 1/17/2014.



## NASDA Industrial Hemp Workgroup: Compilation of State Status (As of 12-15-14)

State	Session Year	Bill Number	Status
		<a href="#">HB 154</a>	HB 154 - Authorizes the Chair of the Board of Agriculture to establish an industrial hemp remediation pilot program. Carried over to 2014 Regular Session from 2013. <b>SB 2175 signed by the Governor on 4/30/2014.</b>
Illinois	2014	<a href="#">HB 2668</a>	HB 2668 - Creates the Industrial Hemp Act. Introduced, first reading, and referred to the House Rules Committee on 2/21/2013. Re-referred to Rules Committee on 4/19/2013. Carried over from 2014.
		<a href="#">HB 5085</a>	HB 5085 - Amends the Agricultural Areas Conservation and Protection Act. Introduced on 2/6/2014. Amended to become the "Industrial Hemp Research and Production Act" on 3/26/2014. Passed in the House on 4/10/2014. Passed in the Senate on 5/19/14. <b>HB 5085 signed by the Governor on 8/26/2014.</b>
Indiana	2014	<a href="#">SB 357</a>	SB 357 - Industrial hemp. Subject to federal approval, authorizes the department of agriculture to license the cultivation and production of industrial hemp. <b>SB 357 was signed by the Governor on 3/26/2014.</b>
		<a href="#">SB 314</a>	SB 314 - Legalize small amounts of marijuana. Authorizes the licensed cultivation and production of industrial hemp in accordance with rules adopted by the department of agriculture. Introduced 1/9/2014. Referred to Corrections & Criminal Law Committee 1/14/2014.

## NASDA Industrial Hemp Workgroup: Compilation of State Status (As of 12-15-14)

State	Session Year	Bill Number	Status
Kentucky	2014	<a href="#">SB 208</a>	AN ACT relating to industrial hemp. Amend KRS 260.857 to remove the Speaker of the House of Representatives or the Speaker's designee, the President of the Senate or the President's designee, the chair of the Senate Agriculture Committee, and the chair of the House Agriculture and Small Business Committee from the Kentucky Industrial Hemp Commission. Introduced in Senate 3/6/2014. <b>SB 208 signed by the Governor 4/10/2014.</b>
Maine	2009	<a href="#">7 M.R.S.A. § 2231</a>	Requires industrial hemp growers be licensed by the state. Permits a person to "plant, grow, harvest, possess, process, sell and buy industrial hemp" if that person holds a license. Prohibits the state from issuing a license unless "The United States Congress excludes industrial hemp from the definition of "marihuana" for the purpose of the Controlled Substances Act, 21 United States Code, Section 802(16); or...the United States Department of Justice, Drug Enforcement Administration takes affirmative steps towards issuing a permit under 21 United States Code, Chapter 13, Subchapter 1, Part C to a person holding a license issued by a state to grow industrial hemp."

## NASDA Industrial Hemp Workgroup: Compilation of State Status (As of 12-15-14)

State	Session Year	Bill Number	Status
Maryland	2014	<a href="#">HB 1010</a>	Allow production and marketing of industrial hemp, exempt industrial hemp from the Uniform Controlled Substances Act, and provide powers and duties for the Department of Agriculture. Introduced 1/21/2014. Passed in the House 3/28/2014.
Massachusetts	2014	<a href="#">H 1632</a>	<a href="#">H 1632 carried over from 2013, was added to accompany H 4180 on 6/11/2014. Discharged to the House Rules Committee 6/11/2014.</a>
Michigan	2014	<a href="#">HB 5439</a>	HB 5439 authorizes industrial hemp research. It passed in the House on 5/22/2014. Referred to Senate Agriculture Committee. HB 5440 excludes industrial hemp grown or cultivated for research from the definition of marihuana. Passed in the House on 5/22/2014. Referred to Senate Agriculture Committee.
		<a href="#">HB 5440</a>	
Minnesota	2014	<a href="#">HF 2315</a>	Industrial hemp research authorized in accordance with federal law. Introduced, first reading and referred to Agriculture Policy Committee on 2/25/2014. Amended and re-referred to House Ways & Means Committee 3/24/2014. HF 3172, 149.30, The Ag commissioner shall examine how other states are implementing industrial hemp research programs and gauge interest of Minnesota higher education institutions, and must submit report by 1/15/2015. <b>HF 3172 Signed by Governor 5/20/2014</b>

## NASDA Industrial Hemp Workgroup: Compilation of State Status (As of 12-15-14)

State	Session Year	Bill Number	Status
Mississippi	2014	<a href="#">HB 1201</a>	This bill would legalize and regulate industrial hemp for certain purposes. It was introduced 1/20/2014. It died in Judiciary Committee 2/4/2014.
Missouri	2014	<a href="#">HB 2054</a>	HB 2054 - Exempts industrial hemp from the list of controlled substances and specifies that it is legal for anyone who has not been convicted of a drug-related crime to cultivate such hemp. Introduced and read first time on 2/27/2014. Referred to House Rules Committee 4/23/2014.
		<a href="#">HB 2238</a>	HB 2238 - Defines industrial hemp, allows the Department of Agriculture to grow industrial hemp for research purposes, and allows for the use of hemp extract to treat certain individuals with epilepsy. Introduced on 3/31/2014. Passed in the Senate 5/30/2014. <b>HB 2238 signed by Governor 7/14/2014</b>
Montana	2001	<a href="#">Mont. Code Anno., § 80-18-101 to 80-18-111</a>	States that industrial hemp that does not contain more than 0.3% tetrahydrocannabinol is an agricultural product. "...an individual in this state may plant, grow, harvest, possess, process, sell, or buy industrial hemp if the industrial hemp does not contain more than 0.3% tetrahydrocannabinol." Requires industrial hemp growers be licensed by the state. Creates an affirmative defense to prosecution under criminal code for marijuana possession or cultivation.

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Nebraska	2014	<a href="#">LB 1001</a>	Allow production and marketing of industrial hemp, exempt industrial hemp from the Uniform Controlled Substances Act, and provide powers and duties for the Department of Agriculture. Introduced 1/21/2014. <b>LB 1001 was signed by the Governor on 4/2/2014.</b>
New Hampshire	2014	<a href="#">HB 153</a>	Carried over from 2013. This bill prohibits the designation of industrial hemp as a controlled substance. Introduced 1/3/2013.
			Passed the House Criminal Justice and Public Safety Committee by a vote of 17 to 2, Ought to Pass (OTP) on 2/19/2013. Committee Report: Ought to Pass with Amendment #2014-0050s on 1/22/2014. Enrolled during recess 5/15/2014.
New Jersey	2014	<a href="#">A2719</a>	Provides for industrial hemp farming. Introduced 2/24/2014. Referred to Assembly Commerce and Economic Development Committee..
New York	2014	<a href="#">A 9140</a>	This bill authorizes the growing of industrial hemp as a part of an agricultural pilot program. Introduced 4/21/2014. Passed in both chambers 6/11/2014. Waiting for Governor's signature.

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<b>North Dakota</b>	2009	<a href="#">N.D. Cent. Code, § 4-41-01 to 4-41-03 (2009)</a>	States that industrial hemp that does not contain more than 0.3 percent is considered an oilseed. "...any person in this state may plant, grow, harvest, possess, process, sell, and buy industrial hemp (cannabis sativa l.) having no more than .03 percent tetrahydrocannabinol." Requires industrial hemp growers be licensed by the state. "North Dakota State University and any other person licensed under this chapter may import and resell industrial hemp seed that has been certified as having no more than .03 percent tetrahydrocannabinol."
<b>Oklahoma</b>	2014	<a href="#">SB 2116</a>	Marihuana legalization, taxation and regulation. Also defines industrial hemp. Introduced and first reading on 2/3/2014. Referred to Public Safety Committee 2/4/2014.
<b>Oregon</b>	2014	<a href="#">O.R.S. § 475.005</a>	Excludes industrial hemp from definition of "controlled substance." Requires industrial hemp growers be licensed by the state. Authorizes "industrial hemp production and possession, and commerce in industrial hemp commodities and products."

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South Carolina	2014	<a href="#">S 0839</a>	To amend Title 46 of the 1976 Code, relating to agriculture, by adding Chapter 55 concerning industrial hemp; to provide that it is lawful to grow industrial hemp in this state; to clarify that industrial hemp is excluded from the definition of marijuana; to prohibit growing industrial hemp and marijuana on the same property or otherwise growing marijuana in close proximity to industrial hemp to disguise the marijuana growth; and to define necessary terms. Introduced in the Senate and read for the first time on 1/14/14. Referred to Committee on Agriculture and Natural Resources on 1/14/14. <b>Signed by Governor 6/2/2014 Act No. 216.</b>
South Dakota	2014	<a href="#">HCR 1017</a>	Urging Congress, the White House Office of National Drug Control Policy (ONDCP), the United States Department of Justice, and the United States Drug Enforcement Administration (DEA) to recognize industrial hemp as a valuable agricultural commodity. Introduced in the House on 2/07/2014. Adopted by the House on 2/13/2014. Introduced in the Senate 2/18/2014. Failed in Senate 2/19/2014.
Tennessee	2014	<a href="#">SB 2495</a>	SB 2495 and HB 2445: Agriculture - As introduced, authorizes growing of



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		<a href="#">HB 2445</a>	industrial hemp subject to regulation by the department of agriculture. - Amends TCA Title 39; Title 43; Title 53 and Title 67. Both bills introduced on 2/5/2014. Signed into law by Governor on 5/14/2014.
Utah	2014	<a href="#">HB 105</a>	Introduced on 2/5/2014. Originally introduced with the title Plant Extract Amendments, the bill was amended in committee to include language to take advantage of Section 7606 of the Farm Bill with a definition of industrial hemp and a research provision. <b>HB 105 was signed by the Governor on 3/20/2014.</b>
Vermont	2007	<a href="#">6 V.S.A. § 561 to 566</a>	"Industrial hemp means varieties of the plant cannabis sativa having no more than 0.3 percent tetrahydrocannabinol, whether growing or not, that are cultivated or possessed by a licensed grower in compliance with this chapter." "Industrial hemp is an agricultural product which may be grown, produced, possessed, and commercially traded in Vermont ..." Requires industrial hemp growers to be licensed by the state.

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Washington	2014	<a href="#">HB 1888</a>	HB 1888 - An Act Relating to industrial hemp; adding a new chapter to Title; creating a new section; and prescribing penalties. Introduced in the House on 1/14/2013. Passed in the House 2/21/2013. Carried over from 2013. By resolution, returned to the House Rules Committee for third reading 3/13/2014.
		<a href="#">SB 5222</a>	SB 5222 - An Act Relating to industrial hemp; and creating new sections. Requires Washington State University to study the feasibility and desirability of industrial hemp production in the state. Introduced in the Senate on 1/23/2013. By resolution, reintroduced and retained in present status on 1/13/2014.
		<a href="#">SB 5954</a>	SB 5954 - Permits the development of an industrial hemp industry and ensures that production of industrial hemp is in compliance with state law and federal guidelines. Authorizes Washington State University to undertake research of industrial hemp production in the state, after receiving a license to grow hemp from the director of the department of agriculture. Creates the industrial hemp account. Introduced in the Senate on 1/13/2014.

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		<a href="#">SB 6214</a>	SB 6214 - Requires the department of agriculture to establish a licensing program to allow persons to grow industrial hemp in this state. Requires Washington State University to study the feasibility and desirability of industrial hemp production in this state. Creates the industrial hemp account. Provides a contingent effective date for this act. Introduced in the Senate on 1/17/2014. Senate Rules Committee "X" file.
West Virginia	2014	<a href="#">HB 3011</a>	<a href="#">Removes the provision that requires an applicant to meet federal requirements concerning the production, distribution and sale of industrial hemp prior to being licensed. Introduced on 1/9/2014. To House Agriculture and Natural Resources Committee. HB 3011 was allowed to become law without signing by the Governor on 3/21/2014.</a>
Wisconsin	2014	<a href="#">AB 638</a>	Relating to: growing and processing industrial hemp, granting rule-making authority, and making an appropriation. Introduced on 1/21/14. Failed to pass pursuant to Senate Joint Resolution 1, 4/8/2014.