
A BILL FOR AN ACT

RELATING TO INDUSTRIAL HEMP.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature recognizes that the recently-
2 enacted Agriculture Improvement Act of 2018, informally known as
3 the "Farm Bill", among other matters, legalized hemp by removing
4 hemp from the definition of "marihuana" contained in the federal
5 Controlled Substances Act. Therefore, hemp is no longer
6 classified as an illegal "drug" under federal law.

7 The legislature finds that the university of Hawaii's
8 research on hemp shows that there is significant potential for a
9 successful hemp agricultural industry in Hawaii. In addition to
10 creating new agricultural commerce, hemp is also beneficial in
11 removing toxins from the soil (phytoremediation), which is
12 important because past agricultural operations in the State have
13 deposited toxins in vast tracts of land. Hemp grows quickly and
14 is a superior phytoremediation crop. The legislature also finds
15 that hemp is an environmentally-friendly and efficient feedstock
16 for biofuel. Hemp can be made into clothing and used in other
17 products to promote the growth of small businesses.



1 The legislature also finds that although the State has
2 authorized the limited production of hemp through its industrial
3 hemp pilot program, progress in that program has been stalled by
4 the rules, policies, and practices of the state department of
5 agriculture, which have been far more onerous than even the
6 requirements established under previous federal law.

7 The purpose of this Act is to void the existing
8 administrative rules of the industrial hemp pilot program, which
9 were written when hemp was still a drug under federal law.

10 SECTION 2. Section 141-40, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "~~§~~141-40~~§~~ **Rulemaking.** (a) The board shall adopt
13 rules concerning industrial hemp production no later than [~~July~~
14 ~~1, 2017,~~] _____, including rules establishing reasonable
15 fees for licenses, permits, or other necessary expenses to
16 defray the cost of implementing and operating the industrial
17 hemp pilot program in this State on an ongoing basis.

18 (b) The rules adopted pursuant to subsection (a) shall not
19 be more stringent than required by applicable federal law.

20 (c) All rules concerning the industrial hemp pilot program
21 as they read prior to the effective date of this Act are void."



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1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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H.B. NO. 1504

Report Title:

Hemp; Controlled Substances; Administrative Rules

Description:

Makes void the existing administrative rules of the industrial hemp pilot program.

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