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# A BILL FOR AN ACT

RELATING TO HEMP.

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

1 SECTION 1. Section 141-42, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By amending subsection (c) to read:

4 "(c) Any individual or entity who [~~grows hemp without a~~  
5 ~~United States Department of Agriculture license~~] violates this  
6 section shall be fined [~~not~~] no more than \$10,000 for each  
7 separate offense. Any notice of violation of this section may  
8 be accompanied by a cease and desist order, the violation of  
9 which constitutes a further violation of this section. Any  
10 action taken to collect the penalty provided for in this  
11 subsection shall be considered a civil action."

12 2. By amending subsection (g) to read:

13 "(g) A hemp producer licensed by the United States  
14 Department of Agriculture to grow hemp shall follow all  
15 inspection and sampling rules and protocols established by the  
16 United States Department of Agriculture. The [~~State~~] department  
17 shall not require other inspections or sampling[~~. The State~~



1 ~~shall not issue notices of violations or impose penalties upon~~  
 2 ~~any hemp producer licensed by the United States Department of~~  
 3 ~~Agriculture; provided that the licensee complies with all of the~~  
 4 ~~requirements imposed by the United States Department of~~  
 5 ~~Agriculture. The State shall impose no penalty with respect to~~  
 6 ~~the production of hemp, except penalties for growing hemp~~  
 7 ~~without a license issued by the United States Department of~~  
 8 ~~Agriculture.] with respect to the production of hemp that~~  
 9 ~~duplicates the inspections or sampling required by the United~~  
 10 ~~States Department of Agriculture."~~

11 SECTION 2. Section 141-43, Hawaii Revised Statutes, is  
 12 amended by amending subsection (a) to read as follows:

13 "(a) The department of agriculture shall adopt rules  
 14 pursuant to chapter 91 to effectuate the purpose of this part[~~r~~  
 15 ~~including any rules necessary to address any nuisance issues,~~  
 16 ~~including smell, noise, and excessive lighting arising out of~~  
 17 ~~the activities of hemp growers licensed under the State's~~  
 18 ~~industrial hemp pilot program who grow hemp within areas~~  
 19 ~~prohibited under section 141-42(a)(1) and (2)]."~~

20 SECTION 3. Statutory material to be repealed is bracketed  
 21 and stricken. New statutory material is underscored.



**1** SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Hemp; Department of Agriculture; Nuisance Issues; Duplicate Inspections or Sampling

**Description:**

Repeals the requirement for additional rules by the Department of Agriculture to address nuisance issues, including smell, noise, and excessive lighting arising out of the activities of hemp growers. Clarifies that the Department of Agriculture shall not require inspections or sampling of hemp that duplicates inspections or sampling required by the United States Department of Agriculture. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

