

<b>SB 255</b>	Allows those licensed by the Department of Agriculture to grow and handle industrial hemp and creates the crime of unlicensed industrial hemp production
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<b>Sponsor:</b>	<i>Schaaf</i>	<i>Co-Sponsor(s)</i>	
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### Current Bill Summary

SB 255 - This act exempts industrial hemp, which is defined as cannabis sativa L. containing no greater than 3/10 of one percent THC, from the definition of marijuana and the list of controlled substances.

In addition, this act specifies that it is legal for any person who maintains a permanent home in Missouri, has not been convicted of a felony or drug-related misdemeanor offense, and has received an industrial hemp license from the Missouri Department of Agriculture to grow and cultivate industrial hemp. A person who wants to produce and handle agricultural hemp seed for sale to licensed industrial hemp growers and handlers must also receive an agricultural hemp seed production permit from the department.

This act specifies the requirements for an applicant of an industrial hemp license and agricultural hemp seed production permit. The department must issue a license or permit to an applicant who meets the statutory requirements and upon satisfactory completion of a fingerprint criminal history background check. Upon issuance of a license or permit, information regarding all license and permit holders shall be forwarded to the Missouri State Highway Patrol.

An industrial hemp license or agricultural hemp seed production permit is nontransferable and valid for a three-year term unless revoked by the department and may be renewed as determined by the department.

This act requires that every grower or handler be subject to an industrial hemp plant monitoring system. The department may inspect a grower or handler to ensure compliance statute, department rules, the monitoring system, or a final department order directed to the grower's or handler's industrial hemp operations or activities. The department may also inspect any industrial hemp crop during the crop's growth phase and take a representative composite sample for field analysis. Crop exceeding the allowable THC limits may be detained, seized, or embargoed.

This act allows the department to charge growers and handlers reasonable fees as determined by the department and to adopt rules to administer the program. The department is also allowed to revoke or refuse to issue or renew an industrial hemp license or agricultural hemp seed production permit and to impose a civil penalty of not less than \$2,500 or more than \$50,000 for a violation of the requirements of the license or permit, department rules relating to growing or handling industrial hemp, the monitoring system, or a final order of the department that is specifically directed to the grower's or handler's industrial hemp operations or activities. In addition, the department may revoke or refuse to issue or renew a license or permit for failing to comply with statute or for a violation of department rules regarding agricultural operations or activities other than industrial hemp growing or handling.

This act creates the offense of unlicensed industrial hemp production. A person commits the act if he or she does not have a valid industrial hemp license and possesses, has under his or her control, distributes, delivers, manufactures, or produces any amount of industrial hemp. The penalty ranges from a Class A misdemeanor to a Class A felony depending on the amount of industrial hemp and the conduct committed by the defendant.

This act is similar to HCS/HB 2054 (2014) and SB 358 (2013), and HB 620 (2011).

MEGHAN LUECKE