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H.F. No. 1238, 1st Engrossment - 81st Legislative Session (1999-2000) Posted on Mar 16, 1999

1.1 A bill for an act
1.2 relating to agriculture; classifying industrial hemp
1.3 as an agricultural crop subject to regulation and
1.4 registration by the commissioner of agriculture;
1.5 requiring growers of industrial hemp to be registered
1.6 by the commissioner; imposing a criminal penalty;
1.7 proposing coding for new law in Minnesota Statutes,
1.8 chapter 18.
1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.10 Section 1. [18.324] [REGULATION OF THE PRODUCTION OF
1.11 INDUSTRIAL HEMP.]
1.12 Subdivision 1. [LEGISLATIVE FINDINGS AND PURPOSE.] The
1.13 legislature finds that the development and use of industrial
1.14 hemp to be in the best interests of the state economy and
1.15 agriculture and that the production of industrial hemp can be
1.16 regulated so as not to interfere with the strict control of
1.17 controlled substances. The purpose of this section is to
1.18 promote the economy, agriculture, public safety, health, and
1.19 welfare by permitting the development of an industrial hemp
1.20 industry while maintaining strict control over the production
1.21 and use of marijuana.
1.22 Subd. 2. [DEFINITIONS.] (a) The definitions in this
1.23 subdivision apply to this section.
1.24 (b) "Commercial uses" means noninjurious adaptations of
1.25 industrial hemp to the manufacture of rope, sacks, and other
1.26 sisal hemp products, batts, yarn, paper, composite materials,
1.27 thread, cordage, merchandise, cloth, and other noninjurious
2.1 products made from fiber, sterilized seed, inner hurds, or other
2.2 plant material of industrial hemp.
2.3 (c) "Commissioner" means the commissioner of agriculture.
2.4 (d) "Industrial hemp" means C. sativa L.
2.5 Subd. 3. [INDUSTRIAL HEMP AUTHORIZED AS AN AGRICULTURAL
2.6 CROP.] Notwithstanding sections 18.75 to 18.87 and chapter 152,
2.7 the growing and maintenance of experimental and demonstration
2.8 plots of industrial hemp by persons registered under subdivision
2.9 4 is authorized in this state. The experimental and
2.10 demonstration plots must be used to develop optimal agricultural
2.11 practices for growing industrial hemp in Minnesota. All plant
2.12 materials from industrial hemp grown on experimental and
2.13 demonstration plots, except plant materials retained for
2.14 breeding and propagation, must be used for commercial uses only.
2.15 Industrial hemp produced by a person registered under
2.16 subdivision 4 is not a noxious weed under sections 18.75 to
2.17 18.87.
2.18 Subd. 4. [REGISTRATION.] A person desiring to grow
2.19 experimental or demonstration plots of industrial hemp for
2.20 noninjurious commercial uses shall apply to the commissioner for
2.21 registration on a form prescribed by the commissioner. The
2.22 application must describe the commercial uses for which the
2.23 industrial hemp will be used and the specific location of each
2.24 experimental or demonstration plot where it will be grown.
2.25 Priority will be given to an applicant who demonstrates to the
2.26 commissioner that the applicant has entered into a contract with
2.27 the Minnesota agricultural experiment station to conduct studies
2.28 on the applicant's plot including, but not limited to, methods

2.29 for breeding distinctive characteristics into industrial hemp
2.30 for field identification purposes. The commissioner may grant
2.31 the applicant permission to grow experimental or demonstration
2.32 plots of industrial hemp for the commercial uses described in
2.33 the registration form. The growing of industrial hemp by the
2.34 registrant pursuant to the terms of the registration is a lawful
2.35 agricultural activity. Data related to the registration of
2.36 experimental or demonstration plots is public data under section
3.1 13.03.

3.2 Subd. 5. [ANNUAL NOTIFICATION REQUIRED.] A person
3.3 registered under subdivision 4 shall notify the commissioner
3.4 annually of the production and sale or distribution of
3.5 industrial hemp grown on experimental or demonstration plots
3.6 under the terms of the registration and shall provide the
3.7 commissioner with the names of all persons to whom the
3.8 industrial hemp plant material is sold or distributed.

3.9 Subd. 6. [PENALTY.] A person who grows industrial hemp in
3.10 violation of this section is subject to the applicable criminal
3.11 penalties provided in chapter 152.

3.12 Subd. 7. [ANNUAL REPORT TO THE LEGISLATURE.] On or before
3.13 March 1 of each year, the commissioner shall report to the
3.14 senate and house of representatives committees having
3.15 jurisdiction over agriculture policy issues on the development
3.16 of industrial hemp as an agricultural crop in the state. The
3.17 report must include information on the number, size, and general
3.18 location of registered experimental and demonstration plots and
3.19 the commercial uses of the industrial hemp grown on the plots.
3.20 The commissioner shall submit a final report by November 1,
3.21 2002, reporting on the cumulative information gained over three
3.22 growing seasons on the results of breeding studies described in
3.23 subdivision 4.

3.24 Subd. 8. [EXPIRATION.] This section expires July 1, 2003.

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