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H.267

Introduced by Representatives Fisher of Lincoln, Botzow of Pownal, Clarkson  
of Woodstock, Courcelle of Rutland City, Deen of Westminster,  
Donahue of Northfield, Haas of Rochester, Hutchinson of  
Randolph, Jerman of Essex, Johnson of South Hero, Kitzmiller  
of Montpelier, Larson of Burlington, Leriche of Hardwick,  
Lorber of Burlington, Marek of Newfane, Masland of Thetford,  
McCullough of Williston, Milkey of Brattleboro, Nuovo of  
Middlebury, Orr of Charlotte, Pearson of Burlington, Pillsbury  
of Brattleboro, Randall of Troy, Rodgers of Glover, Sharpe of  
Bristol, Stevens of Shoreham and Zuckerman of Burlington

Referred to Committee on

Date:

Subject: Agriculture; industrial hemp

Statement of purpose: This bill proposes to permit the development of an  
industrial hemp industry in Vermont.

AN ACT RELATING TO INDUSTRIAL HEMP

It is hereby enacted by the General Assembly of the State of Vermont:

1 Sec. 1. 6 V.S.A. chapter 34 is added to read:

2 CHAPTER 34. INDUSTRIAL HEMP

3 § 560. DEFINITIONS

4 As used in this chapter:

5 (1) “Grower” means any person or business entity licensed under this  
6 chapter by the secretary as an industrial hemp grower.

7 (2) “Hemp products” means all products made from industrial hemp,  
8 including, but not limited to, cloth, cordage, fiber, food, fuel, paint, paper,  
9 particle board, plastics, seed, seed meal, and seed oil, and certified seed for  
10 cultivation if such seeds originate from industrial hemp varieties.

11 (3) “Industrial hemp” means all parts and varieties of the plant cannabis  
12 sativa, whether growing or not, that are cultivated or possessed by a licensed  
13 grower in compliance with this chapter.

14 (4) “Secretary” means the secretary of agriculture, food and markets.

15 § 561. INDUSTRIAL HEMP: AN AGRICULTURAL PRODUCT

16 Industrial hemp is an agricultural product which may be grown, produced,  
17 possessed, and commercially traded in Vermont pursuant to the provisions of  
18 this chapter.

19 § 562. LICENSING; APPLICATION

20 (a) Any person or business entity wishing to engage in the production of  
21 industrial hemp must be licensed as an industrial hemp grower by the

1 secretary. A license from the secretary shall authorize industrial hemp  
2 production only at a site or sites specified by the license.

3 (b) A license from the secretary shall be valid for 24 months and may be  
4 renewed but shall not be transferable.

5 (c) To qualify for a license from the secretary, an applicant shall  
6 demonstrate to the satisfaction of the secretary that the applicant intends to  
7 grow and is capable of growing industrial hemp and has adopted methods to  
8 ensure its safe production, which at a minimum shall include:

9 (1) Furnishing the secretary with an affirmation that the grower is now  
10 and will continue to be in compliance with all state laws regulating the planting  
11 and cultivation of hemp.

12 (2) Securing the supply of all industrial hemp seed obtained for planting.

13 (3) Ensuring the integrity of the industrial hemp crop while it is in the  
14 field, which shall include filing with the secretary the location and acreage of  
15 all parcels sown and other field reference information as may be required by  
16 the secretary.

17 (4) Ensuring that all parts of the industrial hemp plant that do not enter  
18 the stream of commerce as hemp products, such as flowers and leaves, are  
19 destroyed or recycled at the place of production.

1           (5) Maintaining records that reflect compliance with the provisions of  
2           this chapter and with all other state laws regulating the planting and cultivation  
3           of hemp.

4           (d) Every grower shall maintain all production records for at least three  
5           years at the production site.

6           (e) Every grower shall allow crops to be inspected by the department of  
7           public safety or the agency of agriculture, food and markets at the discretion of  
8           those departments.

9           § 563. SEED; IMPORTATION

10          (a) The secretary shall be the sole source and supplier of seed for use in  
11          industrial hemp production in the state.

12          (b) A grower shall use only hemp seed obtained from the secretary.

13          § 564. REVOCATION AND SUSPENSION OF LICENSE;

14                   ENFORCEMENT

15          (a) The secretary may deny, suspend, revoke, or refuse to renew the license  
16          of any grower who:

17                  (1) Makes a false statement or misrepresentation on an application for a  
18          license or renewal of a license.

19                  (2) Fails to comply with or violates any provision of this chapter or any  
20          rule adopted under it.

1           (b) Revocation or suspension of a license may be in addition to any  
2           criminal penalties or fines imposed on a grower under other state law.

3           Sec. 2. EFFECTIVE DATE

4           This act shall take effect on passage.