

Chapter 105

(House Bill 443)

AN ACT concerning

Agriculture – Industrial Hemp – Agricultural or Academic Research

FOR the purpose of authorizing the Department of Agriculture or an institution of higher education to grow or cultivate industrial hemp if the industrial hemp is grown or cultivated for agricultural research or academic research purposes; requiring certain sites used to grow or cultivate industrial hemp to be certified by and registered with the Department; authorizing the Department to adopt certain regulations; defining ~~a certain term~~ certain terms; providing for the termination of this Act; and generally relating to growing or cultivating industrial hemp for agricultural research or academic research purposes.

BY adding to

Article – Agriculture

Section 14–101 and 14–102 to be under the new title “Title 14. Industrial Hemp”

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Agriculture

TITLE 14. INDUSTRIAL HEMP.

14–101.

~~IN THIS SUBTITLE, “INDUSTRIAL HEMP” MEANS THE PLANT CANNABIS SATIVA~~

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) “INDUSTRIAL HEMP” MEANS THE PLANT CANNABIS SATIVA L. AND ANY PART OF SUCH PLANT, WHETHER GROWING OR NOT, WITH A DELTA-9-TETRAHYDROCANNABINOL CONCENTRATION THAT DOES NOT EXCEED 0.3% ON A DRY WEIGHT BASIS.

(2) “INDUSTRIAL HEMP” DOES NOT INCLUDE ANY PLANT OR PART OF A PLANT INTENDED FOR A USE THAT IS REGULATED UNDER TITLE 13, SUBTITLE 33 OF THE HEALTH – GENERAL ARTICLE.

(C) “INSTITUTION OF HIGHER EDUCATION” HAS THE MEANING STATED IN § 10-101 OF THE EDUCATION ARTICLE.

14-102.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT OR AN INSTITUTION OF HIGHER EDUCATION MAY GROW OR CULTIVATE INDUSTRIAL HEMP IF THE INDUSTRIAL HEMP IS GROWN OR CULTIVATED FOR AGRICULTURAL RESEARCH OR ACADEMIC RESEARCH PURPOSES.

(B) A SITE USED BY THE DEPARTMENT OR AN INSTITUTION OF HIGHER EDUCATION TO GROW OR CULTIVATE INDUSTRIAL HEMP SHALL BE CERTIFIED BY AND REGISTERED WITH THE DEPARTMENT.

(C) THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016. It shall remain effective until the taking effect of Chapter 456 of the Acts of the General Assembly of 2015. If Chapter 456 takes effect, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, April 12, 2016.