

HOUSE BILL 510

M4

0lr1537

By: **Delegates Hettleman, Stein, and Cardin**

Introduced and read first time: January 27, 2020

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture – Hemp Research and Production – Prohibitions**

3 FOR the purpose of prohibiting the Maryland Department of Agriculture from certifying
4 and registering a site that will be used to grow or cultivate hemp under the Hemp
5 Research Pilot Program if the area on which the hemp will be grown is located within
6 a certain distance of a certain residential community; prohibiting the Department
7 from issuing a license to a person to produce hemp in the State if the area on which
8 the hemp will be produced is located within a certain distance of a certain residential
9 community; and generally relating to hemp research and hemp production.

10 BY repealing and reenacting, without amendments,
11 Article – Agriculture
12 Section 14–202(a), (b), and (c)
13 Annotated Code of Maryland
14 (2016 Replacement Volume and 2019 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Agriculture
17 Section 14–202(d) and 14–308
18 Annotated Code of Maryland
19 (2016 Replacement Volume and 2019 Supplement)

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

22 **Article – Agriculture**

23 14–202.

24 (a) There is a Hemp Research Pilot Program.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The purpose of the Program is to authorize and facilitate the research of hemp
2 and any aspect of growing, cultivating, harvesting, processing, manufacturing,
3 transporting, marketing, or selling hemp for agricultural or commercial purposes.

4 (c) The Department or an institution of higher education that submits an
5 application to the Department in a manner determined by the Department may grow,
6 cultivate, harvest, process, manufacture, transport, market, or sell hemp under the
7 Program if the hemp is grown or cultivated to further agricultural research or academic
8 research purposes.

9 (d) (1) **(I)** The Department shall certify and register a site that will be used
10 to grow or cultivate hemp under the Program.

11 **(II) THE DEPARTMENT MAY NOT CERTIFY AND REGISTER A SITE**
12 **UNDER THIS SUBSECTION IF THE AREA ON WHICH THE HEMP WILL BE GROWN IS**
13 **LOCATED WITHIN 2 MILES OF A RESIDENTIAL COMMUNITY WITH 10 OR MORE**
14 **RESIDENCES.**

15 (2) The Department may charge a fee of up to \$250 to certify and register
16 a site that will be used to grow or cultivate hemp.

17 14–308.

18 (a) This section does not apply to an institution of higher education or a person
19 that produces hemp under the Hemp Research Pilot Program in accordance with Subtitle
20 2 of this title.

21 (b) A person may not produce hemp in the State unless the person is licensed by:

22 (1) The Department; or

23 (2) The Secretary of the U.S. Department of Agriculture.

24 **(C) THE DEPARTMENT MAY NOT ISSUE A LICENSE TO A PERSON TO**
25 **PRODUCE HEMP IN THE STATE IF THE AREA ON WHICH THE HEMP WILL BE**
26 **PRODUCED IS LOCATED WITHIN 2 MILES OF A RESIDENTIAL COMMUNITY WITH 10 OR**
27 **MORE RESIDENCES.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2020.