

**Department of Legislative Services**  
Maryland General Assembly  
2020 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 100 (Delegate Fraser-Hidalgo, *et al.*)  
Environment and Transportation Education, Health, and Environmental Affairs

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**Maryland Agricultural Commission - Hemp Industry Member**

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This bill adds a member representing the hemp industry to the Maryland Agricultural Commission. The member is appointed by the Governor from a list of two nominees representing the hemp industry.

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**Fiscal Summary**

**State Effect:** Expense reimbursements for one additional commission member are minimal and absorbable within existing budgeted resources. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law/Background:**

*Maryland Agricultural Commission*

The Maryland Agricultural Commission consists of 30 members representing commodities across the State. The mission of the commission is to formulate and make proposals for the advancement of Maryland agriculture by serving as an advisory body to the Secretary of Agriculture on issues related to agriculture. The commission's current priorities include (1) encouraging the agricultural community to be more proactive on issues affecting agriculture and rural life; (2) evaluating farm/agriculture industry labor and regulations;

(3) increasing public awareness of food safety; and (4) supporting the Maryland Department of Agriculture's (MDA) efforts to promote agriculture.

*Federal and State Regulatory Action Related to Industrial Hemp*

Hemp can be used in the production of a variety of consumer goods, including paper products, textiles, nutritional supplements and medicines, construction, and livestock feed. Hemp is a variety of the plant species *Cannabis sativa L.* that has a low level of delta-9 tetrahydrocannabinol (THC), which is the compound in cannabis plants that produces the "high" associated with cannabis use.

The federal Agriculture Improvement Act of 2018 (2018 Farm Bill) alters certain federal authority relating to the production and marketing of hemp and removes hemp from the federal Controlled Substances Act. Under the 2018 Farm Bill, cannabis plants and derivatives that contain no more than 0.3% THC on a dry weight basis are no longer controlled substances under federal law. The 2018 Farm Bill directed the U.S. Department of Agriculture to develop a program to review and approve plans submitted by each state, territory, and Indian tribal agency outlining their production of hemp for commercial uses.

Chapters 475 and 476 of 2018 established an Industrial Hemp Pilot Program in Maryland that is administered by MDA. Chapter 228 of 2019 expanded upon the pilot program and established a regulatory framework for the commercial production of hemp in the State in conjunction with the federal changes from the 2018 Farm Bill. According to MDA, the department is working on draft regulations to implement Chapter 228. USDA published guidance on state hemp farming plans at the end of calendar 2019. MDA advises that as of October 2019, there were 65 farms in the State producing hemp under the pilot program.

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**Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Agriculture; U.S. Department of Agriculture; Department of Legislative Services

**Fiscal Note History:** First Reader - January 27, 2020  
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