

**Department of Legislative Services**  
Maryland General Assembly  
2022 Session

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

House Bill 75

(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:**

*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*

The federal Agriculture Improvement Act of 2018 (2018 Farm Bill) altered certain federal authority relating to the production and marketing of hemp and removed hemp from the federal Controlled Substances Act. Under the 2018 Farm Bill, cannabis plants and derivatives that contain no more than 0.3% delta-9 tetrahydrocannabinol on a dry weight basis are no longer controlled substances under federal law. The 2018 Farm Bill directed the U.S. Department of Agriculture (USDA) 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. USDA published guidance on state hemp farming plans at the end of calendar 2019. MDA promulgated regulations in late 2020 that brought the State into compliance with the 2018 Farm Bill and established industrial hemp as an agricultural commodity.

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**Additional Information**

**Prior Introductions:** HB 232 of 2021 passed the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. HB 100 of 2020 passed the House and was referred to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

**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 10, 2022  
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Analysis by: Kathleen P. Kennedy

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510