

2022 Regular Session

HOUSE BILL NO. 330

BY REPRESENTATIVE TRAVIS JOHNSON

AGRICULTURAL COMMODITIES: Creates the Industrial Hemp Promotion and Research Program

1 AN ACT

2 To enact Part VII of Chapter 10-A of Title 3 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 3:1491 through 1496 and R.S. 36:629(L)(4), relative to the
4 creation of the Louisiana Industrial Hemp Promotion and Research Program; to
5 create the Louisiana Industrial Hemp Promotion and Research Advisory Board; to
6 provide for the composition, powers, duties, and functions of the board; to authorize
7 the commissioner of agriculture and forestry to adopt rules and accept certain funds;
8 to provide for the use of funds; to provide for definitions; to provide for transfer of
9 the board to the Department of Agriculture and Forestry; and to provide for related
10 matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Part VII of Chapter 10-A of Title 3 of the Louisiana Revised Statutes of
13 1950, to be comprised of R.S. 3:1491 through 1496, is hereby enacted to read as follows:

14 PART VII. LOUISIANA INDUSTRIAL HEMP PROMOTION AND
15 RESEARCH PROGRAM

16 §1491. Name and purpose

17 A. The name of the program created and organized by this Part shall be the
18 Louisiana Industrial Hemp Promotion and Research Program.

1 B. The purpose of the program is to support the growth and development of
2 the industrial hemp industry in Louisiana by enhancing research, education,
3 promotion, facilities, and industrial hemp related activities throughout the state.

4 §1492. Definitions

5 As used in this Part:

6 (1) "Board" means the Louisiana Industrial Hemp Promotion and Research
7 Advisory Board.

8 (2) "Commissioner" means the Louisiana commissioner of agriculture and
9 forestry.

10 (3) "Industrial hemp" means the same as previously defined in this Chapter.

11 (4) "Industrial hemp educational program" means any event focused on
12 improving a participant's understanding of the industrial hemp industry.

13 (5) "Industrial hemp facility" means any facility used to produce or process
14 industrial hemp.

15 (6) "Industrial hemp industry member" means any person with an interest
16 and background in the requirements of producing, handling, processing, or selling
17 industrial hemp or products produced from industrial hemp.

18 (7) "Industrial hemp research" means any scholarly activity conducted to
19 collect scientific data utilizing experimental design as authorized under this Chapter.

20 (8) "Program" means the Louisiana Industrial Hemp Promotion and
21 Research Program.

22 (9) "Promotion of the industrial hemp industry" means the development of
23 a comprehensive marketing plan for the industrial hemp industry, which may include
24 a website, social media, and an advertising program.

25 §1493. Louisiana Industrial Hemp Promotion and Research Advisory Board;
26 creation and organization

27 A. The Louisiana Industrial Hemp Promotion and Research Advisory Board
28 is hereby created within the Department of Agriculture and Forestry. The board shall
29 be domiciled in Baton Rouge.

1 B. The board shall consist of eleven members appointed by the
2 commissioner as follows:

3 (1) One member who is engaged in the production of industrial hemp or
4 industrial hemp seed appointed from a list of three persons nominated by the
5 Louisiana Farm Bureau Federation, Inc.

6 (2) One member who is appointed from a list of three persons nominated by
7 the Louisiana State University Agricultural Center.

8 (3) One member who is appointed from a list of three persons nominated by
9 the Southern University Agricultural Center.

10 (4) One member appointed from a list of three persons nominated by the
11 chairman of the House Committee on Agriculture, Forestry, Aquaculture and Rural
12 Development.

13 (5) One member appointed from a list of three persons nominated by the
14 chairman of the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural
15 Development.

16 (6) One member who is a licensed grower of industrial hemp.

17 (7) One member who is a licensed processor of industrial hemp.

18 (8) One member who is a consumer of industrial hemp.

19 (9) One member who is a representative of the Louisiana industrial hemp
20 industry.

21 (10) One member appointed from a list of three persons nominated by the
22 Louisiana Black Farmers Cannabis and Hemp Association.

23 (11) One member appointed from a list of three persons nominated by the
24 Morehouse Parish Black Farmers and Landowners Association.

25 C. The commissioner, or his designee, shall serve as an ex officio member
26 in an advisory capacity only.

27 D. Members shall serve at the pleasure of the commissioner.

28 E. An organization authorized to make nominations for appointment to the
29 board shall submit its list of nominees within thirty days after the commissioner

1 requests the list. The commissioner shall make all appointments to the board no later
2 than thirty days after receiving the list of nominees. The board should be
3 representative of the state's population by race and gender to ensure diversity.

4 F. A vacancy in the office of a member shall be filled in the same manner as
5 the original appointment. Persons appointed to fill vacancies shall serve for the
6 unexpired portion of the vacated term.

7 G. A majority of the voting members of the board shall constitute a quorum
8 for the transaction of business. All official actions of the board shall require the
9 affirmative vote of a majority of the members of the board present and voting.

10 H. Members of the board shall receive no compensation.

11 I. The board shall meet at least twice a year and may meet at other times on
12 the call of the chairman or any four members.

13 J. The board, by a vote of a majority of the members, may expel a member
14 for good cause shown. Good cause shall include but shall not be limited to three
15 consecutive unexcused absences. The expulsion of a member creates a vacancy in
16 the office of the expelled member.

17 K. The board shall meet and organize as soon as practicable after
18 appointment of the members, and shall elect a chairman, vice chairman, and
19 secretary-treasurer from the membership of the board, whose duties shall be those
20 customarily exercised by such officers or specifically designated by the board.
21 Officers shall serve a one-year term.

22 §1494. Powers and duties

23 A. The board shall:

24 (1) Advise the commissioner on the development and maintenance of the
25 Louisiana Industrial Hemp Promotion and Research Program.

26 (2) Maintain a permanent record of its proceedings.

27 (3) Submit an annual report of its activities to the House Committee on
28 Agriculture, Forestry, Aquaculture, and Rural Development and the Senate

1 Committee on Agriculture, Forestry, Aquaculture and Rural Development by
2 January thirty-first of each year.

3 B. The board may:

4 (1) Provide information to governmental entities upon request on subjects
5 of concern to the industrial hemp industry and collaborate with the state or federal
6 government on the development and administration of the program.

7 (2) Cooperate with any local, state, regional, or national organization or
8 agency engaged in activities consistent with the objectives of the program.

9 C. The commissioner may:

10 (1) Adopt such rules and regulations as are necessary to administer the
11 program. All rules and regulations shall be adopted in accordance with the
12 Administrative Procedure Act.

13 (2) Enter into contracts or other agreements to accomplish any purpose
14 authorized by this Part, including advertising, education, marketing, promotion,
15 research, or services.

16 §1495. Funding

17 To achieve the purposes of this Part, the commissioner may accept and
18 expend monies from any source, including gifts, contributions, donations, state
19 appropriations, and federal grants and may accept and use services from individuals,
20 corporations, and governmental entities.

21 §1496. Use of funds

22 Funds made available to the commissioner shall be expended to effectuate
23 the purposes of this Part including but not limited to the following uses:

24 (1) To attract additional business associated with the industrial hemp
25 industry to Louisiana including processors.

26 (2) To develop and promote Louisiana industrial hemp brands or marketing
27 campaigns.

28 (3) To aid in the development of a coordinated research plan designed to
29 develop higher quality industrial hemp seeds and plants best suited for cultivation

1 within the state, new and improved uses for industrial hemp, and best management
2 practices.

3 (4) To develop educational programs and disseminate educational materials
4 about industrial hemp.

5 (5) To support the enhancement and maintenance of public-use industrial
6 hemp facilities, specifically those used for the purposes of promotion and research.

7 (6) To promote activities, facilities, events, and the needs of the Louisiana
8 industrial hemp industry.

9 (7) To contract for scientific research with accredited postsecondary
10 education institutions, or similar educational institutions, and industrial hemp
11 licensees authorized to conduct industrial hemp research under this Chapter that will
12 assist in carrying out the purposes of the program, including industrial hemp best
13 management practices.

14 Section 2. R.S. 36:629(L)(4) is hereby enacted to read as follows:

15 §629. Transfer of boards, commissions, departments, and agencies to the
16 Department of Agriculture and Forestry

17 * * *

18 L. The following agencies are transferred to the Department of Agriculture
19 and Forestry and shall perform and exercise their powers, duties, functions, and
20 responsibilities as provided by law:

21 * * *

22 (4) The Louisiana Industrial Hemp Promotion and Research Program (R.S.
23 3:1491 et seq.).

24 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 330 Reengrossed

2022 Regular Session

Travis Johnson

Abstract: Creates the Louisiana Industrial Hemp Promotion and Research Program.

Proposed law establishes the La. Industrial Hemp Promotion and Research Program to support the growth and development of the industrial hemp industry in La.

Proposed law defines the following terms:

- (1) "Board" means the La. Industrial Hemp Promotion and Research Advisory Board.
- (2) "Commissioner" means the La. commissioner of agriculture and forestry.
- (3) "Industrial hemp" means the same as defined in present law.
- (4) "Industrial hemp educational program" means any event focused on improving a participant's understanding of the industrial hemp industry.
- (5) "Industrial hemp facility" means any facility used to produce or process industrial hemp.
- (6) "Industrial hemp industry member" means any person with an interest and background in the requirements of producing, handling, processing, or selling industrial hemp or products produced from industrial hemp.
- (7) "Industrial hemp research" means any scholarly activity conducted to collect scientific data utilizing experimental design as authorized under this Chapter.
- (8) "Program" means the La. Industrial Hemp Promotion and Research Program.
- (9) "Promotion of the industrial hemp industry" means the development of a comprehensive marketing plan for the industrial hemp industry, which may include a website, social media, and an advertising program.

Proposed law creates the La. Industrial Hemp Promotion and Research Advisory Board within the Dept. of Agriculture and Forestry.

Proposed law provides that the board shall consist of 11 members appointed by the commissioner as follows:

- (1) One member who is engaged in the production of industrial hemp or industrial hemp seed appointed from a list of three persons nominated by the La. Farm Bureau Federation, Inc.
- (2) One member who is appointed from a list of three persons nominated by the La. State Univ. Agricultural Ctr.
- (3) One member who is appointed from a list of three persons nominated by the Southern Univ. Agricultural Ctr.

- (4) One member appointed from a list of three persons nominated by the chairman of the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development.
- (5) One member appointed from a list of three persons nominated by the chairman of the Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development.
- (6) One member who is a licensed grower of industrial hemp.
- (7) One member who is a licensed processor of industrial hemp.
- (8) One member who is a consumer of industrial hemp.
- (9) One member who is a representative of the La. industrial hemp industry.
- (10) One member appointed from a list of three persons nominated by the La. Black Farmers Cannabis and Hemp Assoc.
- (11) One member appointed from a list of three persons nominated by the Morehouse Parish Black Farmers and Landowners Assoc.

Proposed law requires the commissioner or his designee to serve as an ex officio member in an advisory capacity only.

Proposed law provides for the organization and administration of the board, including provisions for nominations, the length of terms, vacancies, quorum requirements, expulsions, meeting requirements, and appointment of officers.

Proposed law specifies that the board should be representative of the state's population by race and gender to ensure diversity.

Proposed law prohibits members of the board from receiving any compensation.

Proposed law requires the board to:

- (1) Advise the commissioner on the development and maintenance of the La. Industrial Hemp Promotion and Research Program.
- (2) Maintain a permanent record of its proceedings.
- (3) Submit an annual report of its activities to the House Committee on Agriculture, Forestry, Aquaculture, and Rural Development and the Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development by Jan. 31st of each year.

Proposed law authorizes the board to:

- (1) Provide information to governmental entities upon request on subjects of concern to the industrial hemp industry and collaborate with the state or federal government on the development and administration of the program.
- (2) Cooperate with any local, state, regional, or national organization or agency engaged in activities consistent with the objectives of the program.

Proposed law authorizes the commissioner to:

- (1) Adopt such rules and regulations, as are necessary to administer the program, in accordance with the Administrative Procedure Act.

- (2) Enter into contracts or other agreements to accomplish any purpose authorized by proposed law, including advertising, education, marketing, promotion, research, or services.

Proposed law authorizes the commissioner to accept and expend monies from any source, including gifts, contributions, donations, state appropriations, and federal grants, and to accept and use services from individuals, corporations, and governmental entities.

Proposed law requires all funds made available to the commissioner be expended only to effectuate the purposes of proposed law, including the following uses:

- (1) To attract additional business associated with the industrial hemp industry to La. including processors.
- (2) To develop and promote La. industrial hemp brands or marketing campaigns.
- (3) To aid in the development of a coordinated research plan designed to develop higher quality industrial hemp seeds and plants best suited for cultivation within the state, new and improved uses for industrial hemp, and best management practices.
- (4) To develop educational programs and disseminate educational materials about industrial hemp.
- (5) To support the enhancement and maintenance of public-use industrial hemp facilities, specifically those used for the purposes of promotion and research.
- (6) To promote activities, facilities, events, and the needs of the La. industrial hemp industry.
- (7) To contract for scientific research with accredited postsecondary education institutions or similar educational institutions and industrial hemp licensees authorized to conduct industrial hemp research under present law that will assist in carrying out the purposes of the program, including industrial hemp best management practices.

Proposed law provides for the transfer of the program to the Dept. of Agriculture and Forestry as provided by law.

(Adds R.S. 3:1491-1496 and R.S. 36:629(L)(4))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Set the term of board members at the pleasure of the commissioner only and remove the criteria that board member terms are concurrent with the term of the commissioner.
2. Make technical changes.