

ACT No. 462

2022 Regular Session

HOUSE BILL NO. 330

BY REPRESENTATIVE TRAVIS JOHNSON AND SENATORS BARROW, BOUIE,
CARTER, JACKSON, FRED MILLS, PRICE, AND STINE

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.

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

22 §1492. Definitions

23 As used in this Part:

24 (1) "Board" means the Louisiana Industrial Hemp Promotion and Research
25 Advisory Board.

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

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

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

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

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

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

13 (8) "Program" means the Louisiana Industrial Hemp Promotion and
 14 Research Program.

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

18 §1493. Louisiana Industrial Hemp Promotion and Research Advisory Board;
 19 creation and organization

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

23 B. The board shall consist of fifteen members as follows:

24 (1) One member who is engaged in the production of industrial hemp or
 25 industrial hemp seed appointed by the Louisiana Farm Bureau Federation, Inc.

26 (2) One member appointed by the Louisiana State University Agricultural
 27 Center.

28 (3) One member appointed by the Southern University Agricultural Research
 29 and Extension Center.

1 (4) One member appointed by the speaker of the Louisiana House of
2 Representatives.

3 (5) One member appointed by the president of the Louisiana Senate.

4 (6) One member appointed by the chairman of the House Committee on
5 Agriculture, Forestry, Aquaculture, and Rural Development.

6 (7) One member appointed by the chairman of the Senate Committee on
7 Agriculture, Forestry, Aquaculture and Rural Development.

8 (8) One member appointed by the commissioner who is a licensed grower
9 of industrial hemp.

10 (9) One member appointed by the commissioner who is a licensed processor
11 of industrial hemp.

12 (10) One member appointed by the commissioner who is a consumer of
13 industrial hemp.

14 (11) One member appointed by the commissioner who is a representative of
15 the Louisiana industrial hemp industry.

16 (12) One member appointed by the Louisiana Black Farmers Cannabis and
17 Hemp Association.

18 (13) One member appointed by the Morehouse Parish Black Farmers and
19 Landowners Association.

20 (14) One member appointed by the Louisiana Cannabis Association.

21 (15) One member appointed by the Gulf South Hemp Association.

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

24 D. Members shall serve at the pleasure of the appointing authority.

25 E. Appointments to the board shall be made no later than September 1, 2022.

26 Each appointing authority shall notify the commissioner of the appointment. The
27 board should be representative of the state's population by race and gender to ensure
28 diversity.

29 F. A vacancy in the office of a member shall be filled in the same manner as
30 the original appointment.

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

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

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

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

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

16 §1494. Powers and duties

17 A. The board shall:

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

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

21 (3) Submit an annual report of its activities to the House Committee on
 22 Agriculture, Forestry, Aquaculture, and Rural Development and the Senate
 23 Committee on Agriculture, Forestry, Aquaculture and Rural Development by
 24 January thirty-first of each year.

25 B. The board may:

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

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

1 (3) Make recommendations to the House and Senate committees on
2 agriculture, forestry, aquaculture, and rural development on legislation relative to the
3 regulation of industrial hemp.

4 C. The commissioner may:

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

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

11 §1495. Funding

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

16 §1496. Use of funds

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

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

21 (2) To develop and promote Louisiana industrial hemp brands or marketing
22 campaigns.

23 (3) To aid in the development of a coordinated research plan designed to
24 develop higher quality industrial hemp seeds and plants best suited for cultivation
25 within the state, new and improved uses for industrial hemp, and best management
26 practices.

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

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

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

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

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

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

11 * * *

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

15 * * *

16 (4) The Louisiana Industrial Hemp Promotion and Research Program (R.S.
17 3:1491 et seq.).

18 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____