

2016 Regular Session

HOUSE BILL NO. 1085

BY REPRESENTATIVE MONTOUCET

AGRICULTURE: Authorizes institutions of higher education to develop a pilot program to study the growth, cultivation or marketing of industrial hemp for agricultural or academic research

1 AN ACT

2 To enact R.S. 3:3764, relative to industrial hemp research; to authorize institutions of higher
3 education to develop a pilot program to study the growth, cultivation, or marketing
4 of industrial hemp for agricultural or academic research; to provide for definitions
5 for the program; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 3:3764 is hereby enacted to read as follows:

8 §3764. Industrial Hemp Pilot Program

9 A. As used in this Section, the following terms shall have the meanings
10 ascribed to them, unless the context clearly indicates a different meaning:

11 (1) "Industrial Hemp" means the plant cannabis sativa linnaeus and any part
12 of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol
13 concentration of not more than 0.03 percent on a dry weight basis.

14 (2) "Educational Institution" means any public or private institution of higher
15 education, including a college or university with an accredited college of agriculture.

16 (3) "Pilot program" means a pilot program to study the growth, cultivation,
17 and marketing of industrial hemp.

18 B. Notwithstanding any law or regulation to the contrary, and in accordance
19 with the federal Agriculture Act of 2014, section 7606, a state institution of higher

1 education or the Department of Agriculture and Forestry may develop and manage
2 a pilot program to study the growth, cultivation, or marketing of industrial hemp if:

3 (1) The industrial hemp is grown or cultivated for research conducted
4 pursuant to an agricultural pilot program or other agricultural or academic research;
5 and

6 (2) The growing or cultivating of industrial hemp is allowed under the laws
7 of the state in which such institution of higher education or state department of
8 agriculture is located and such research occurs.

9 C. The department is authorized to certify any institution of higher education
10 to implement a pilot program to study the growth, cultivation, or marketing of
11 industrial hemp for the purpose of agricultural or academic research where such
12 educational institution submits the following information to the department:

13 (1) The location where the institution intends to grow or cultivate industrial
14 hemp.

15 (2) The institution's research plan.

16 (3) The name and title of any employee or employees of the institution that
17 will supervise the program.

18 D. After receiving certification from the Department of Agriculture and
19 Forestry, the institution of higher education developing and managing the pilot
20 program shall provide the Louisiana State Police and their parish sheriff with the
21 following information:

22 (1) The location where the institution intends to grow or cultivate industrial
23 hemp.

24 (2) The name and title of any employee or employees of the institution that
25 will supervise the program.

26 E. The Department of Agriculture and Forestry may promulgate rules and
27 regulations in accordance with the Administrative Procedure Act to implement this
28 Section.

1 F. The institution of higher education that has been certified and granted the
 2 right to implement the pilot program provides information detailing the results of
 3 their research upon request to the House and Senate Committees on Agriculture,
 4 Forestry, Aquaculture, and Rural Development.

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 1085 Original

2016 Regular Session

Montoucet

Abstract: Authorizes state institutions of higher learning to develop pilot programs to study the growth, cultivation, or marketing of industrial hemp for agricultural or academic research.

Proposed law authorizes state institutions of higher learning to develop pilot programs to study the growth, cultivation and marketing of industrial hemp for agricultural or academic research.

Proposed law authorizes the department to certify any institution of higher education to implement the pilot program provided that the institution provides the department with the following: (1) the location where the institution intends to grow or cultivate industrial hemp, (2) the institution's research plan, and (3) the name and title of any employee or employees that will supervise the program.

Proposed law requires the institution of higher education, after being certified by the department to implement the pilot program, provides the La. State Police and the parish sheriff with the following information: (1) the location where the institution intends to grow or cultivate industrial hemp and (2) the name and title of any employee or employees that will supervise the program.

Proposed law requires the department to promulgate rules and regulations in accordance with the Administrative Procedure Act to implement this Section.

Proposed law requires the institution that has been certified and granted the right to implement the pilot program provides information detailing the results of their research upon request to the House and Senate Committees on Agriculture, Forestry, Aquaculture and Rural Development.

Proposed law provides for definitions.

(Adds R.S. 3:3764)