

INDUSTRIAL HEMP STATUTE

- Administration: This statute is administered by the Nebraska Department of Agriculture, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska 68509. Telephone: (402) 471-4876.
- Initiated: This statute was last revised during the 2019 Nebraska Legislature. This reproduction was prepared following that legislative session.
- Rules: A regulation has been promulgated under this statute, known as Title 25, Chapter 8, Nebraska Administrative Code – Industrial Hemp Regulations.

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<u>Section</u>	<u>Subject</u>
2-5701.....	Postsecondary institution or Department of Agriculture; industrial hemp; grown or cultivated for purposes of research; sites; certification.

**2-5701. Postsecondary institution or Department of Agriculture; industrial hemp; cultivated for purposes of research; sites; certification; licensing agreements; activities authorized; fees; report; hearing.**

- (1) A postsecondary institution in this state or the Department of Agriculture may cultivate industrial hemp if the industrial hemp is cultivated for purposes of research conducted under an agricultural pilot program or other agricultural or academic research.
- (2) Sites used for cultivating industrial hemp must be certified by, and registered with, the Department of Agriculture.

(3)(a) Prior to approval by the United States Secretary of Agriculture of the state plan as provided in section 2-516, a person with a valid licensing agreement with the department pursuant to this section may cultivate, handle, or process industrial hemp as a part of the department's agricultural pilot program. Qualified applicants shall be selected at random by the department. To be qualified to apply and to retain a valid licensing agreement, a cultivator or processor-handler shall comply with all applicable requirements set forth in the Nebraska Hemp Farming Act, except that a licensing agreement shall be required in lieu of any license requirements under the act.

(b) A cultivator or processor-handler shall pay the license application fee, site registration fee, and site modification fee, if applicable, established in section 2-508 for each one-year licensing agreement and shall be required to submit a report for department research purposes. The report shall be submitted as required by the department. All fees collected by the department under this section shall be remitted to the State Treasurer for credit to the Nebraska Hemp Program Fund.

(c) Licensing agreements shall establish procedures for sampling and testing of industrial hemp, effective destruction of noncompliant industrial hemp, and department inspections to monitor compliance with the agreements.

(d) A cultivator or processor-handler who has had a licensing agreement terminated for failure to comply with the agreement or the Nebraska Hemp Farming Act, or any rules or regulations adopted and promulgated under the act, may request a hearing as set forth in section 2-513.

(e) The Department of Agriculture may adopt and promulgate rules and regulations as necessary to carry out this section.

(3) For purposes of this section:

(a) Agricultural pilot program means a pilot program to study the cultivation or marketing of industrial hemp;

(b) Cultivate and cultivator have the same meaning as in section 2-503;

(c) Handle has the same meaning as in section 2-503;

(d) Industrial hemp means hemp as defined in section 2-503;

(e) Postsecondary institution has the same meaning as in section 2-503; and

(f) Process and processor-handler have the same meaning as in section 2-503.

**Source:** Laws 2014, LB1001, § 1; Laws 2019, LB657, § 21.

**Operative Date: May 31, 2019**