

By the Committees on Appropriations; and Agriculture; and
Senators Montford and Powell

576-04160-17

20171726c2

1 A bill to be entitled
2 An act relating to industrial hemp pilot projects;
3 creating s. 1004.4473, F.S.; authorizing the
4 Department of Agriculture and Consumer Services to
5 oversee the development of industrial hemp pilot
6 projects for the Institute of Food and Agricultural
7 Sciences at the University of Florida and the Florida
8 Agricultural and Mechanical University; authorizing
9 the universities to develop the pilot projects in
10 partnership with public, nonprofit, and private
11 entities; providing the purpose of the pilot projects;
12 defining terms; requiring each university to obtain
13 the authorization of its board of trustees before
14 implementing a pilot project; requiring pilot projects
15 to comply with rules adopted by the department;
16 requiring the department to adopt certain rules by a
17 specified date; requiring the universities to develop
18 partnerships with certain entities; requiring the
19 universities to establish guidelines for the approval,
20 oversight, and enforcement of pilot project rules;
21 requiring a report to the Governor and the Legislature
22 within a specified timeframe; providing an effective
23 date.

24
25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. Section 1004.4473, Florida Statutes, is created
28 to read:

29 1004.4473 Industrial hemp pilot projects.-

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30 (1) The Department of Agriculture and Consumer Services
31 shall authorize and oversee the development of industrial hemp
32 pilot projects, and promulgate the rules governing such
33 projects, for the Institute of Food and Agricultural Sciences at
34 the University of Florida and the Florida Agricultural and
35 Mechanical University. The Institute of Food and Agricultural
36 Sciences at the University of Florida and the Florida
37 Agricultural and Mechanical University may develop industrial
38 hemp pilot projects in partnership with public, nonprofit, and
39 private entities in accordance with this section and all
40 applicable state and federal laws. The purpose of the pilot
41 projects is to cultivate, process, test, research, create, and
42 market safe and effective commercial applications for industrial
43 hemp in the agricultural sector in this state.

44 (2) As used in this section, the term:

45 (a) "Hemp material" means a substance containing hemp
46 stems, leaves, fibers, seeds, extracts, oil, or any other
47 substance derived or harvested from a species of the cannabis
48 plant.

49 (b) "Industrial hemp" means all parts and varieties of the
50 cannabis sativa plant, cultivated or possessed by an approved
51 grower under the pilot project, whether growing or not, which
52 contain a tetrahydrocannabinol concentration that does not
53 exceed 0.3 percent on a dry-weight basis.

54 (c) "Industrial hemp pilot project" or "pilot project"
55 means a project that includes research of industrial hemp and
56 any aspect of cultivation, harvesting, processing, market
57 research, and sales of approved industrial hemp agricultural,
58 industrial, and commercial products.

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59 (d) "Qualified program personnel" means a person who, or an
60 employee of a company, that, partners with the University of
61 Florida or the Florida Agricultural and Mechanical University on
62 a pilot project, is certified by the university, is 18 years of
63 age or older, and has passed the required criminal background
64 check.

65 (e) "Qualified project partner" means a public, nonprofit,
66 or private entity that has a principal place of business in
67 this state and meets the requirements of subsection (3).

68 (3) A qualified project partner must, at a minimum, meet
69 all of the following requirements:

70 (a) Have access to a grow site and research facility
71 located in this state which is acceptable for the cultivation,
72 processing, and manufacturing of industrial hemp and hemp
73 products, as determined by the Department of Agriculture and
74 Consumer Services.

75 (b) Submit a comprehensive business or research plan
76 acceptable to the partnering university.

77 (c) Provide proof of prior experience in the cultivation,
78 processing, manufacturing, or research of medical marijuana or
79 industrial hemp, as determined by the Department of Agriculture
80 and Consumer Services.

81 (4) Each university must obtain the authorization of its
82 board of trustees before implementing an industrial hemp pilot
83 project. A pilot project authorized by a university must be
84 registered with the Department of Agriculture and Consumer
85 Services. The pilot project must comply with rules adopted by
86 the department, which must address safety, compliance, and
87 accountability and, at a minimum, must require the universities

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88 to provide detailed information on the scope, design, and
89 objectives of the pilot project; information on personnel and
90 participants involved in the pilot project; facility locations
91 and security; the chain of control of hemp material; the
92 economic impact of the pilot project on the state's agricultural
93 sector; genetic research, ensuring that psychotropic compounds
94 will not be synthesized; and compliance with state and federal
95 law. The rules shall be promulgated by the department no later
96 than October 31, 2018.

97 (5) Each university shall develop partnerships with
98 qualified project partners to attract experts and investors
99 experienced with industrial hemp research and the
100 commercialization of such projects.

101 (6) The universities' respective research offices shall
102 oversee the pilot projects and ensure compliance with department
103 rule. The offices must identify a contact person who is
104 responsible for oversight of the pilot project. Each university
105 research office shall adopt procedures and guidelines to ensure
106 the proper operation of the pilot project, the proper handling
107 of hemp material and products, compliance with state and federal
108 law, and the safety and security of the pilot project
109 facilities. At a minimum, the guidelines must meet all of the
110 following requirements:

111 (a) Designate the physical location, global positioning
112 system position, and map of the pilot project facility. Areas
113 within the facility must be designated as general access or
114 limited access. An area where hemp material is cultivated,
115 processed, stored, or packaged or where industrial hemp research
116 is conducted must be designated as limited access. Limited-

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117 access areas must be restricted to entry by qualified program
118 personnel and authorized visitors accompanied at all times by
119 qualified program personnel. All other areas of the facility may
120 be designated as general access and are open to authorized
121 visitors, regardless of whether accompanied by qualified program
122 personnel.

123 (b) Identify the qualified program personnel involved in
124 the pilot projects. The personnel must have successfully
125 completed a level 2 screening pursuant to s. 435.04. Owners and
126 employees of companies directly involved in the pilot projects
127 must comply with this requirement.

128 (c) Authorize the qualified program personnel to handle,
129 grow, cultivate, process, and manufacture hemp materials.

130 (d) Establish a testing program and protocols to ensure the
131 proper labeling of hemp material.

132 (e) Establish guidelines for attracting successful,
133 entrepreneurial, and experienced public and private investors
134 and partners who are interested in pursuing an industrial hemp
135 pilot project.

136 (7) Each university that implements an industrial hemp
137 pilot project shall submit a report to the Governor, the
138 President of the Senate, and the Speaker of the House of
139 Representatives on the status of its pilot project and any
140 research related to the cultivation, harvesting, processing, and
141 uses of industrial hemp. The report must be prepared and
142 submitted within 2 years after the pilot project's creation.

143 Section 2. This act shall take effect upon becoming a law.