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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; providing requirements for a qualified
13 project partner; requiring each university to obtain
14 the authorization of its board of trustees before
15 implementing a pilot project; requiring pilot projects
16 to comply with rules adopted by the department;
17 requiring the department to adopt certain rules by a
18 specified date; requiring the universities to develop
19 partnerships with certain entities; requiring the
20 universities to establish guidelines for the approval,
21 oversight, and enforcement of pilot project rules;
22 requiring a report to the Governor and the Legislature
23 within a specified timeframe; providing an effective
24 date.

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26 Be It Enacted by the Legislature of the State of Florida:

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

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30 1004.4473 Industrial hemp pilot projects.-

31 (1) The Department of Agriculture and Consumer Services
32 shall authorize and oversee the development of industrial hemp
33 pilot projects, and adopt rules as required under the
34 Agricultural Act of 2014, 7 U.S.C. s. 5940, to implement this
35 section, including rules for the certification and registration
36 of sites used for growth or cultivation, for the Institute of
37 Food and Agricultural Sciences at the University of Florida and
38 the Florida Agricultural and Mechanical University. The
39 Institute of Food and Agricultural Sciences at the University of
40 Florida and the Florida Agricultural and Mechanical University
41 may develop industrial hemp pilot projects in partnership with
42 public, nonprofit, and private entities in accordance with this
43 section and all applicable state and federal laws. The purpose
44 of the pilot projects is to cultivate, process, test, research,
45 create, and market safe and effective commercial applications
46 for industrial hemp in the agricultural sector in this state.

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

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

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

57 (c) "Industrial hemp pilot project" or "pilot project"
58 means a project that includes research of industrial hemp and

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59 any aspect of cultivation, harvesting, processing, market
60 research, and sales of approved industrial hemp agricultural,
61 industrial, and commercial products.

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

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

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

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

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

80 (c) Provide proof of prior experience in or knowledge of,
81 or demonstrate a strong interest in and commitment to, the
82 cultivation, processing, manufacturing, or research of
83 industrial hemp, as determined by the Department of Agriculture
84 and Consumer Services.

85 (4) Each university must obtain the authorization of its
86 board of trustees before implementing an industrial hemp pilot
87 project. A pilot project authorized by a university must be

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88 registered with the Department of Agriculture and Consumer
89 Services. The pilot project must comply with rules adopted by
90 the department, which must address safety, compliance, and
91 accountability and, at a minimum, must require the universities
92 to provide detailed information on the scope, design, and
93 objectives of the pilot project; information on personnel and
94 participants involved in the pilot project; facility locations
95 and security; the chain of control of hemp material; the
96 economic impact of the pilot project on the state's agricultural
97 sector; genetic research, ensuring that psychotropic compounds
98 will not be synthesized; and compliance with state and federal
99 law. The rules shall be promulgated by the department no later
100 than October 31, 2018.

101 (5) Each university shall develop partnerships with
102 qualified project partners to attract experts and investors
103 experienced with industrial hemp research and the
104 commercialization of such projects.

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

115 (a) Designate the physical location, global positioning
116 system position, and map of the pilot project facility. Areas

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117 within the facility must be designated as general access or
118 limited access. An area where hemp material is cultivated,
119 processed, stored, or packaged or where industrial hemp research
120 is conducted must be designated as limited access. Limited-
121 access areas must be restricted to entry by qualified program
122 personnel and authorized visitors accompanied at all times by
123 qualified program personnel. All other areas of the facility may
124 be designated as general access and are open to authorized
125 visitors, regardless of whether accompanied by qualified program
126 personnel.

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

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

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

136 (e) Establish guidelines for attracting successful,
137 entrepreneurial, and experienced public and private investors
138 and partners who are interested in pursuing an industrial hemp
139 pilot project.

140 (7) Each university that implements an industrial hemp
141 pilot project shall submit a report to the Governor, the
142 President of the Senate, and the Speaker of the House of
143 Representatives on the status of its pilot project and any
144 research related to the cultivation, harvesting, processing, and
145 uses of industrial hemp. The report must be prepared and

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146 submitted within 2 years after the pilot project's creation.

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