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1
2 An act relating to industrial hemp pilot projects;
3 creating s. 1004.4473, F.S.; defining terms; directing
4 the Department of Agriculture and Consumer Services to
5 authorize and oversee the development of industrial
6 hemp pilot projects for certain universities;
7 providing the purpose of the pilot projects; requiring
8 the department to adopt certain rules by a specified
9 date; requiring each university to obtain the
10 authorization of its board of trustees before
11 implementing a pilot project; requiring pilot projects
12 to comply with rules adopted by the department;
13 requiring the universities to develop partnerships
14 with certain entities; authorizing the universities to
15 develop pilot projects in partnership with public,
16 nonprofit, and private entities; requiring the
17 universities to establish guidelines for the approval,
18 oversight, and enforcement of pilot project rules;
19 requiring universities to delay industrial hemp
20 commercialization projects under certain conditions;
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) As used in this section, the term:

31 (a) "Department" means the Department of Agriculture and
32 Consumer Services.

33 (b) "Hemp material" means a substance containing hemp
34 stems, leaves, fibers, seeds, extracts, oil, or any other
35 substance derived or harvested from a species of the cannabis
36 plant.

37 (c) "Industrial hemp" means all parts and varieties of the
38 cannabis sativa plant, cultivated or possessed by an approved
39 grower under the pilot project, whether growing or not, which
40 contain a tetrahydrocannabinol concentration that does not
41 exceed 0.3 percent on a dry-weight basis.

42 (d) "Industrial hemp pilot project" or "pilot project"
43 means a project that includes research of industrial hemp and
44 any aspect of cultivation, harvesting, processing, market
45 research, and sales of approved industrial hemp agricultural,
46 industrial, and commercial products.

47 (e) "Qualified program personnel" means a person who, or an
48 employee of a company that, partners with a university on a
49 pilot project, is certified by the university, and is 18 years
50 of age or older.

51 (f) "Qualified project partner" means a public, nonprofit,
52 or private entity that:

53 1. Has a principal place of business is in this state.

54 2. Has access to a grow site and research facility located
55 in this state which is acceptable for the cultivation,
56 processing, and manufacturing of industrial hemp and hemp
57 products, as determined by the department.

58 3. Submits a comprehensive business or research plan

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59 acceptable to the partnering university.

60 4. Provides proof of prior experience in or knowledge of,
61 or demonstrates an interest in and commitment to, the
62 cultivation, processing, manufacturing, or research of
63 industrial hemp, as determined by the department.

64 (2) (a) The department shall authorize and oversee the
65 development of industrial hemp pilot projects for the Institute
66 of Food and Agricultural Sciences at the University of Florida,
67 Florida Agricultural and Mechanical University, and any land
68 grant university in the state that has a college of agriculture.
69 The department shall adopt rules as required under the
70 Agricultural Act of 2014, 7 U.S.C. s. 5940, to implement this
71 section, including rules for the certification and registration
72 of sites used for growth or cultivation. The purpose of the
73 pilot projects is to cultivate, process, test, research, create,
74 and market safe and effective commercial applications for
75 industrial hemp in the agricultural sector in this state.

76 (b) The department shall adopt rules that address safety,
77 compliance, and accountability and, at a minimum, require the
78 universities to provide detailed information on:

79 1. The scope, design, and objectives of the pilot project.

80 2. Personnel and participants involved in the pilot
81 project.

82 3. Facility locations and security.

83 4. The chain of control of hemp material.

84 5. The economic impact of the pilot project on the state's
85 agricultural sector.

86 6. Genetic research, ensuring that psychotropic compounds
87 will not be synthesized.

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88 7. Compliance with state and federal law.

89 (c) The department shall initiate rulemaking pursuant to
90 this subsection within 4 months after the effective date of this
91 act.

92 (3) A university must obtain the authorization of its board
93 of trustees before implementing an industrial hemp pilot
94 project. A pilot project authorized by a university must be
95 registered with the department and must comply with rules
96 adopted by the department.

97 (4) A university that implements an industrial hemp pilot
98 project shall develop partnerships with qualified project
99 partners to attract experts and investors experienced with
100 agriculture and may develop the pilot project in partnership
101 with public, nonprofit, and private entities in accordance with
102 this section and all applicable state and federal laws.

103 (5) The research office of a university that implements an
104 industrial hemp pilot project shall oversee the pilot project
105 and ensure compliance with rules adopted by the department. The
106 office must identify a contact person who is responsible for
107 oversight of the pilot project and shall adopt procedures and
108 guidelines to ensure the proper operation of the pilot project,
109 the proper handling of hemp material and products, compliance
110 with state and federal law, and the safety and security of the
111 pilot project facility. At a minimum, the guidelines must:

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

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

124 (b) Identify the qualified program personnel involved in
125 the pilot project who meet the requirements of 21 CFR s. 1301.18
126 pursuant to the Agricultural Act of 2014, 7 U.S.C. s. 5940.

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

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

131 (6) An industrial hemp commercialization project may only
132 be conducted after an industrial hemp pilot project has been in
133 place for 2 years to determine if there are any adverse impacts
134 of hemp cultivation on current indigenous crops in the state.

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

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