

HOUSE BILL NO. 4744

April 29, 2021, Introduced by Reps. Steenland, Hertel and Lilly and referred to the Committee on Regulatory Reform.

A bill to amend 2014 PA 547, entitled
"Industrial hemp research and development act,"
by amending section 2 (MCL 286.842), as amended by 2018 PA 641.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Broker" means to engage or participate in the marketing
3 of industrial hemp by acting as an intermediary or negotiator
4 between prospective buyers and sellers.

5 (b) "Cannabis" means the plant *Cannabis sativa* L. and any part

1 of that plant, whether growing or not.

2 (c) "Department" means the department of agriculture and rural
3 development.

4 (d) "Director" means the director of the department, or his or
5 her designee.

6 (e) "GPS coordinates" means latitude and longitude coordinates
7 derived from a global positioning system.

8 (f) "Grow" means to plant, propagate, grow, cultivate, or
9 harvest live plants or viable seeds.

10 (g) "Grower" means a person registered by the department under
11 this act to grow industrial hemp.

12 (h) "Handle" means to possess, store, or transport industrial
13 hemp on premises owned, operated, or controlled by a registered
14 grower or licensed processor-handler.

15 (i) "Industrial hemp" means ~~the plant *Cannabis sativa* L. and~~
16 ~~any part of that plant, including the viable seeds of that plant~~
17 ~~and all derivatives, extracts, cannabinoids, isomers, acids, salts,~~
18 ~~and salts of isomers, whether growing or not, with a delta-9-~~
19 ~~tetrahydrocannabinol concentration of not more than 0.3% on a dry~~
20 ~~weight basis. Industrial hemp includes industrial hemp commodities~~
21 ~~and products and topical or ingestible animal and consumer products~~
22 ~~derived from the plant *Cannabis sativa* L. with a delta-9-~~
23 ~~tetrahydrocannabinol concentration of not more than 0.3% on a dry~~
24 ~~weight basis.~~ **that term as defined in section 3 of the Michigan**
25 **Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27953.**

26 (j) "Licensing and registration fund" means the industrial
27 hemp licensing and registration fund created in section 5.

28 (k) "Location ID" means the unique identifier established by
29 the applicant for each unique set of GPS coordinates where

1 industrial hemp will be grown, handled, stored, processed, or
2 brokered.

3 (l) "Market" means to promote or sell industrial hemp or an
4 industrial hemp commodity or product. Market includes, but is not
5 limited to, efforts to advertise and gather information about the
6 needs or preferences of potential consumers or suppliers.

7 (m) "Nonviable seed" means seed that has been crushed,
8 dehulled, heat treated, or otherwise rendered to have a 0.0%
9 germination rate.

10 (n) "Person" means an individual, partnership, corporation,
11 association, or other legal entity.

12 (o) "Plot" means a contiguous area in a field, greenhouse, or
13 indoor growing structure containing the same variety of industrial
14 hemp throughout the area.

15 (p) "Process" means to convert raw industrial hemp into a
16 marketable form.

17 (q) "Processor-handler" means a person licensed by the
18 department under this act to process, handle, broker, or market
19 industrial hemp.

20 (r) "Program" means the industrial hemp licensing and
21 registration program established by this act.

22 (s) "Propagule" means a plant or plant part that is utilized
23 to grow a new plant.

24 (t) "Research fund" means the industrial hemp research and
25 development fund created in section 4.

26 (u) "Testing facility" means a safety compliance facility
27 licensed under the medical marihuana facilities licensing act, 2016
28 PA 281, MCL 333.27101 to 333.27801, or a testing facility approved
29 by the department.

1 (v) "THC" means ~~tetrahydrocannabinol~~. **that term as defined in**
2 **section 3 of the Michigan Regulation and Taxation of Marihuana Act,**
3 **2018 IL 1, MCL 333.27953.**

4 (w) "Variety" means a subdivision of a species that has the
5 following characteristics:

6 (i) The subdivision is uniform, in the sense that variations
7 between the subdivision and other subdivisions in essential and
8 distinctive characteristics are describable.

9 (ii) The subdivision is distinct, in the sense that the
10 subdivision can be differentiated by 1 or more identifiable
11 morphological, physiological, or other characteristics from all
12 other known subdivisions.

13 (iii) The subdivision is stable, in the sense that the
14 subdivision will remain uniform and distinct if reproduced.

15 (x) "Viable seed" means seed that has a germination rate of
16 greater than 0.0%.

17 (y) "Volunteer cannabis plant" means a cannabis plant that is
18 not intentionally planted and grows of its own accord from seeds or
19 roots in the years following an intentionally planted cannabis
20 crop.

21 **Enacting section 1. This amendatory act takes effect 90 days**
22 **after the date it is enacted into law.**

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