

AMENDMENTS TO HOUSE BILL NO. 967

Sponsor: REPRESENTATIVE DIAMOND

Printer's No. 2312

1 Amend Bill, page 2, by inserting between lines 14 and 15

2 "Control order." A written order issued by the department to
3 a person establishing required treatment measures, including
4 destruction, for a violation of a provision of this chapter or a
5 regulation, permit or order issued under this chapter.

6 Amend Bill, page 5, by inserting between lines 9 and 10

7 § 705. Control orders.

8 (a) Authority of department.--

9 (1) The department may issue a control order:

10 (i) Requiring any person registered and permitted to
11 grow industrial hemp to implement treatment measures for
12 industrial hemp if the department finds that the person
13 has violated a provision of this chapter or a regulation,
14 order or permitting requirement issued under this
15 chapter.

16 (ii) Upon finding industrial hemp growing on any
17 premises or property without a valid registration or
18 permit.

19 (2) A control order shall set forth the general factual
20 and legal basis for the action and shall advise the affected
21 person that within 15 days of receipt of the control order
22 the person may file with the department a written request for
23 an administrative hearing.

24 (3) The hearing under paragraph (2) shall be conducted
25 in accordance with 2 Pa.C.S. (relating to administrative law
26 and procedure). The written control order of the department
27 shall be served upon the affected person by personal service
28 or by registered or certified mail, return receipt requested.
29 The control order shall become final upon the expiration of
30 the 15-day period for requesting an administrative hearing
31 unless a timely request for a hearing has been filed with the
32 department.

33 (b) Required contents.--The control order shall prescribe
34 the required remediation, control, eradication or treatment
35 measures and the date by which the measures must be completed.

36 (c) Expenses and costs.--The department may recover any
37 expenses and costs incurred in enforcing and carrying out the

1 measures established in the control order from the person that
2 was the subject of the department's control order.

3 Amend Bill, page 5, line 10, by striking out "705" and
4 inserting
5 706

6 Amend Bill, page 5, line 19, by striking out "706" and
7 inserting
8 707

9 Amend Bill, page 7, line 22, by striking out "707" and
10 inserting
11 708

12 Amend Bill, page 8, line 9, by striking out "708" and
13 inserting
14 709

15 Amend Bill, page 8, line 12, by striking out "709" and
16 inserting
17 710