

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, providing for industrial hemp research; imposing
3 powers and duties on the Department of Agriculture and the
4 Legislative Reference Bureau; abrogating a regulation; and
5 making a related repeal.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Title 3 of the Pennsylvania Consolidated Statutes
9 is amended by adding a chapter to read:

10 CHAPTER 7

11 INDUSTRIAL HEMP RESEARCH

12 Sec.

13 701. Scope.

14 702. Definitions.

15 703. Administration.

16 704. Growth and cultivation.

17 705. Abrogation of regulation.

18 706. Expiration.

19 § 701. Scope.

1 This chapter relates to industrial hemp research.

2 § 702. Definitions.

3 The following words and phrases when used in this chapter
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Agricultural pilot program." A pilot program to study the
7 growth, cultivation or marketing of industrial hemp.

8 "Department." The Department of Agriculture of the
9 Commonwealth.

10 "Industrial hemp." The plant Cannabis sativa L. and any part
11 of the plant, whether growing or not, with a delta-9
12 tetrahydrocannabinol concentration of not more than 0.3% on a
13 dry-weight basis.

14 "Institution of higher education." As defined by section 101
15 of the Higher Education Act of 1965 (Public Law 89-329, 20
16 U.S.C. § 1001).

17 "Secretary." The Secretary of Agriculture of the
18 Commonwealth.

19 § 703. Administration.

20 (a) Department.--The department has the following duties:

21 (1) Implement this chapter.

22 (2) Establish a certification and registration program
23 under section 704(b)(2) (relating to growth and cultivation)
24 and, when the program is operative, transmit notice of that
25 fact to the Legislative Reference Bureau for publication in
26 the Pennsylvania Bulletin.

27 (b) Regulations.--The department may promulgate regulations
28 to implement this chapter.

29 (c) Secretary.--If the secretary determines that a Federal
30 agency is authorized to regulate industrial hemp, the secretary

1 shall transmit notice of that authorization to the bureau for
2 publication in the Pennsylvania Bulletin.

3 § 704. Growth and cultivation.

4 (a) Authorization.--Notwithstanding section 4(1)(vii)1 of
5 the act of April 14, 1972 (P.L.233, No.64), known as The
6 Controlled Substance, Drug, Device and Cosmetic Act, industrial
7 hemp may be grown or cultivated by the department or an
8 institution of higher education for the purposes of research
9 conducted under an agricultural pilot program in compliance with
10 subsection (b).

11 (b) Manner.--Industrial hemp shall be grown or cultivated in
12 a manner that complies with all of the following:

13 (1) Ensures that only institutions of higher education
14 and the department are used to grow or cultivate industrial
15 hemp.

16 (2) Requires that sites used for growing or cultivating
17 industrial hemp be certified by and registered with the
18 department.

19 § 705. Abrogation of regulation.

20 The provisions of 7 Pa. Code § 110.1(1) (relating to noxious
21 weed control list) are abrogated.

22 § 706. Expiration.

23 This chapter shall expire upon publication of the notice
24 under section 703(c) (relating to administration).

25 Section 2. Repeals are as follows:

26 (1) The General Assembly finds and declares that the
27 repeal under paragraph (2) is necessary to effectuate the
28 addition of 3 Pa.C.S. Ch. 7.

29 (2) Section 8(1) of the act of April 7, 1982 (P.L.228,
30 No.74), known as the Noxious Weed Control Law, is repealed.

10/1/13

1 Section 3. This act shall take effect as follows:

2 (1) The following provisions shall take effect
3 immediately:

4 (i) The addition of 3 Pa.C.S. § 703.

5 (ii) Section 2(1) of this act.

6 (iii) This section.

7 (2) The remainder of this act shall take effect upon
8 publication of the notice under 3 Pa.C.S. § 703(a)(2).