

SENATE FILE NO. SF0055

Hemp production-fees.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to hemp production; requiring fees for  
2 compliance inspections and disposal verification;  
3 authorizing disposal verification; requiring rulemaking;  
4 correcting references; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 11-51-101(a)(intro), (i), (ii) and  
9 (iv), 11-51-102, 11-51-103(b)(iv) and (e), 11-51-104,  
10 11-51-105(a), 11-51-106 and 11-51-107 are amended to read:

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12 **11-51-101. Definitions.**

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14 (a) As used in this ~~article~~chapter:

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1           (i) "Corrective action plan" means a plan the  
2 department develops in consultation with a licensee to  
3 correct any violation of this ~~article~~chapter;

4  
5           (ii) "Disposal" means activities to alter or  
6 treat hemp or hemp products that contain an amount of THC  
7 in excess of the amount authorized in this ~~article~~chapter  
8 to ensure that the THC is reduced to bring the hemp or hemp  
9 product into compliance with this ~~article~~chapter or, if  
10 compliance is not attainable, that the THC is rendered  
11 inaccessible;

12  
13           (iv) "Licensee" means a person licensed under  
14 this ~~article~~chapter to produce, process or test hemp;

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16           **11-51-102. Hemp as agricultural crop; use of hemp.**

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18           (a) Hemp is an agricultural crop in this state. Upon  
19 meeting the requirements of this ~~article~~chapter, a person  
20 may produce or process hemp.

21  
22           (b) Notwithstanding the requirements of this ~~article~~  
23 chapter, the possession, purchase, sale, transportation and

1 use of hemp and hemp products by any person is allowable  
2 without restriction.

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4 **11-51-103. Licensing.**

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6 (b) The application for a license under this section  
7 shall include:

8

9 (iv) Authorization for reasonable access by the  
10 department for ~~random~~ inspections and verifications related  
11 to production or processing activities for which a licensee  
12 shall be assessed fees under W.S. 11-51-104(a); and

13

14 (e) Any person possessing hemp or hemp products only  
15 for the purpose of testing THC levels may, but shall not be  
16 required to, obtain a license under this ~~article~~ chapter.

17

18 **11-51-104. Enforcement; fees; penalties.**

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20 (a) The department shall perform inspections and  
21 provide chemical sampling and analysis of ~~a random sample~~  
22 of production or processing activities by licensees to  
23 determine compliance with this ~~article~~ chapter. The

1 department may require verification of effective disposal  
2 of hemp or hemp products by licensees. For any sample,  
3 analysis or verification conducted under this subsection,  
4 the department shall assess the licensee fees as  
5 established by rule of the department, not to exceed the  
6 following:

7  
8 (i) Two hundred dollars (\$200.00) per sample  
9 conducted by the department;

10  
11 (ii) Two hundred dollars (\$200.00) per analysis  
12 conducted by the department;

13  
14 (iii) Two hundred fifty dollars (\$250.00) per  
15 lot for verification of effective disposal of hemp or hemp  
16 products.

17  
18 (b) Any licensee who violates any provision of this  
19 ~~article~~chapter or any regulation promulgated pursuant to  
20 this ~~article~~chapter shall be subject to a corrective  
21 action plan. The corrective action plan may include  
22 reporting requirements, additional inspections, suspension  
23 of a license, steps necessary to restore a license, or

1 requirements related to disposal of hemp or hemp products  
2 that contain in excess of three-tenths of one percent  
3 (0.3%) THC on a dry weight basis. The plan may require  
4 rendering THC inaccessible by using hemp or hemp products  
5 as a soil amendment material or by destruction of the hemp  
6 or hemp product as authorized by rule of the department.

7

8 (c) Any person who intentionally violates this  
9 ~~article~~chapter is guilty of a misdemeanor punishable by a  
10 fine of not more than seven hundred fifty dollars  
11 (\$750.00), imprisonment for not more than six (6) months,  
12 or both.

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14 (d) If any person has three (3) or more violations of  
15 this ~~article~~chapter or any regulation promulgated pursuant  
16 to this ~~article~~chapter within five (5) years, the  
17 department shall revoke the license and the person shall be  
18 ineligible for licensure under this article for five (5)  
19 years.

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21 **11-51-105. Rules; agreements; research activities.**

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1           (a) The department shall adopt rules necessary to  
2 implement the provisions of this ~~article~~chapter.

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4           **11-51-106. Disposition of fees.**

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6 All fees collected under this ~~article~~chapter shall be  
7 deposited with the state treasurer in a separate account  
8 which is continuously appropriated to the department for  
9 the administration of this ~~article~~chapter.

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11           **11-51-107. Exception if this chapter is not**  
12 **implemented.**

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14 Nothing in this ~~article~~chapter shall preclude any person  
15 from applying for and receiving authorization to produce  
16 and process hemp from another authorized entity if the  
17 department does not receive authority to do so or is  
18 otherwise not implementing this ~~article~~chapter.

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20           **Section 2.** The department of agriculture shall adopt  
21 rules necessary to implement this act.

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1           **Section 3.** This act is effective immediately upon  
2 completion of all acts necessary for a bill to become law  
3 as provided by Article 4, Section 8 of the Wyoming  
4 Constitution.

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6

(END)