



Senate Agriculture and Rural Affairs Committee

Senator Elder Vogel Jr.

Chairman

Michael Rader, Executive Director

Senate Box 203047 • State Capitol Building • Harrisburg, PA 17120

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June 23, 2016

House Bill: 967

Printers Number: 3087

Prime Sponsor: DIAMOND

SYNOPSIS

Establishes authority, in conformance with federal law, for an agricultural pilot program to research industrial hemp.

BILL SUMMARY

HB 967 adds a new Chapter 7 to Title 3 (Agriculture) to establish an agricultural pilot program for industrial hemp research.

The bill allows industrial hemp to be grown, cultivated, and researched by the PA Department of Agriculture (PDA) and institutions of higher education at sites that are registered with and certified by PDA. Both PDA and institutions of higher education are authorized to enter into contracts with persons to grow or cultivate industrial hemp as part of an agricultural pilot program, but only if the person has US Drug Enforcement Administration (DEA) permission, no felony or misdemeanor convictions and no felony drug convictions within the past 10 years.

PDA is authorized to seek all-inclusive permission from the DEA for all contracted persons. Criminal and civil penalties are established for violations.

Fees from permits, fines and penalties will be paid into the Plant Pest Management Account, which is an existing restricted account in the General Fund. No appropriations are delineated, but they are authorized, as well as gifts and contributions from public or private sources.

HB 967 removes "Cannabis sativa" from the Noxious Weed Control List in the Noxious Weed Control Law (Act 74 of 1982) and the attendant regulation.

If a federal agency becomes authorized to regulate industrial hemp, Chapter 7 will expire.

Effective Date: Immediately



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CURRENT LAW

Federal:

The 2014 Federal Farm Bill (7 U.S.C. § 5940) gave state Departments of Agriculture and institutions of higher education the ability to establish agricultural pilot programs to grow and study industrial hemp, as long as the growth and cultivation of industrial hemp is allowed under state law.

State:

The PA Controlled Substance, Drug, Device, and Cosmetic Act (Act 64 of 1972) includes substances which contain tetrahydrocannabinols (which are natural chemicals found in hemp) as a Schedule I controlled substance.

Title 18 §7508(a)(1) establishes penalties for convictions under Act 64 of 1972 when the controlled substance is marijuana.

Cannabis sativa (marijuana) is on the Noxious Weed Control List in both the Noxious Weed Control Law (Act 74 of 1982) and its attendant regulation (7 Pa Code § 110.1(1)).