

# INDUSTRIAL HEMP GROWERS ACT (EXCERPT)

## Act 137 of 2020

### CHAPTER III

#### Grower Registration

#### **333.28301 Report to USDA Farm Service Agency; grower duties.**

Sec. 301. (1) A grower shall report the following information to the USDA Farm Service Agency immediately after the grower is granted a registration under chapter II:

(a) The address and total acreage of and GPS coordinates for each field, greenhouse, building, or other location where industrial hemp will be grown.

(b) The grower's registration number.

(2) A grower shall do all of the following:

(a) Allow the department or a law enforcement agency to enter onto and inspect all premises where industrial hemp is or will be located, with or without cause and with or without advance notice.

(b) On request from the department or a law enforcement agency, produce a copy of the grower's registration for inspection.

(c) Contact the department to collect a sample under section 401.

(d) Harvest the industrial hemp crop within 15 days after receiving a certified report under section 405.

(e) Destroy any of the following, without compensation, under section 407:

(i) If the results of the total delta-9-THC test under section 405 indicate a total delta-9-THC concentration of more than the acceptable THC level, all cannabis grown within the contiguous area where the sample was taken.

(ii) Industrial hemp that is at a location that is not disclosed on the grower's application under section 201.

(iii) Industrial hemp that is grown in violation of this act.

(f) Report all of the following information to the department by November 15 of each year:

(i) Total acreage of industrial hemp that the grower grew in the immediately preceding growing season.

(ii) Total acreage of industrial hemp that the grower harvested in the immediately preceding growing season.

(iii) Total acreage of industrial hemp that the grower disposed of in the immediately preceding growing season.

**History:** 2020, Act 137, Imd. Eff. July 8, 2020.

#### **333.28303 Prohibitions on grower.**

Sec. 303. A grower shall not do any of the following:

(a) Grow industrial hemp that is not in compliance with the grower's registration.

(b) Grow industrial hemp in a location that is not disclosed on the grower's application under section 201.

(c) Grow industrial hemp in a location that is not owned or completely controlled by the grower. As used in this subdivision, "completely controlled" means to be solely responsible for all of the industrial hemp grown at a location.

(d) Grow industrial hemp in a dwelling.

(e) Grow a variety of industrial hemp that is on the list created under section 505.

(f) Sell or transport, or permit the sale or transport of, viable industrial hemp plants or viable seed to a location that is not disclosed on the grower's application under section 201 or to a person in this state that is not a grower.

(g) Harvest industrial hemp before receiving the certified report of the total delta-9-THC test results under section 405.

(h) Sell industrial hemp to a person in this state that is not authorized by the department to receive industrial hemp.

(i) Destroy industrial hemp without submitting a notice to the department under section 407(3)(a). This subdivision does not apply to a grower that destroys male industrial hemp plants to prevent cross-pollination.

**History:** 2020, Act 137, Imd. Eff. July 8, 2020.

#### **333.28305 Sign posting requirements.**

Sec. 305. (1) A grower shall post signage in a conspicuous location at each boundary line of each location where industrial hemp is grown. The signage must include all of the following:

(a) The statement, "Industrial Hemp Registered with the Michigan Department of Agriculture and Rural Development".

- (b) The grower's name.
- (c) The grower's registration number.
- (2) The signage described under subsection (1) must meet all of the following requirements:
  - (a) Be a minimum of 8 inches wide and 10 inches tall.
  - (b) Use writing that is clearly legible.
  - (c) Be made of weather-resistant material.

**History:** 2020, Act 137, Imd. Eff. July 8, 2020.

### **333.28307 Record of sale.**

Sec. 307. A grower shall provide a record of sale to each person that purchases industrial hemp from the grower. The record of sale must contain all of the following information:

- (a) The name of the person purchasing the industrial hemp.
- (b) Evidence that the person purchasing the industrial hemp is authorized by the department to purchase industrial hemp.
- (c) The total weight of industrial hemp purchased.
- (d) The total sale price of the industrial hemp.
- (e) The date of the sale.
- (f) The certified report of the total delta-9-THC testing under section 405 for each variety of industrial hemp purchased.

**History:** 2020, Act 137, Imd. Eff. July 8, 2020.

### **333.28309 Maintenance of records.**

Sec. 309. (1) A grower shall maintain records containing all of the following information:

- (a) Each record of sale generated under section 307.
- (b) The name and mailing address of any person from whom the grower purchased viable industrial hemp seed.
- (c) The name of each variety of industrial hemp the grower grows.
- (d) Evidence that the information required to be reported under section 301 was submitted and received by the USDA Farm Service Agency.
- (e) A destruction report generated under section 407(3)(b), if applicable.
- (2) A grower shall maintain the records under subsection (1) for 5 years and make the records available to the department upon request.

**History:** 2020, Act 137, Imd. Eff. July 8, 2020.

### **333.28311 Site modification; approval required.**

Sec. 311. (1) Before implementing a modification to a site location listed in a registration, the grower must submit a site location modification request on a form provided by the department and the required fee under section 511, based on the number of requested modifications, and obtain written approval from the department.

(2) The department shall not approve a site location modification request under this section unless the grower has paid the site location modification fee in full.

**History:** 2020, Act 137, Imd. Eff. July 8, 2020.

### **333.28313 Sale of industrial hemp to processor.**

Sec. 313. A grower may sell industrial hemp to a processor that is licensed under the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801.

**History:** 2020, Act 137, Imd. Eff. July 8, 2020.