

INDUSTRIAL HEMP GROWERS ACT (EXCERPT)

Act 220 of 2020

CHAPTER V

Administration

333.29501 Rules.

Sec. 501. The department may promulgate rules to implement this act under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020.

333.29503 Department reporting requirements.

Sec. 503. (1) By the first of each month, the department shall report all of the following to the USDA:

(a) For each grower, the information provided on an application submitted under section 201.

(b) Each grower's registration number.

(c) The status of each grower registration.

(d) Any changes or updates to a grower's information provided under subdivision (a).

(e) An indication that there were no changes or updates to the reports previously submitted under this subsection, if applicable.

(f) The date for which the information contained in subdivisions (a), (b), (c), and (d) is current.

(g) The period covered by the report.

(2) If a grower is required to dispose of an industrial hemp lot under section 407, by the first of each month, the department shall report all of the following to the USDA:

(a) The information provided on the grower's application submitted under section 201.

(b) The grower's registration number.

(c) The total acreage or square footage of industrial hemp that was disposed of.

(d) The date on which the industrial hemp was destroyed.

(3) Not later than December 15 of each year, the department shall report all of the following information to the USDA:

(a) The total acreage of industrial hemp that was grown in the immediately preceding growing season.

(b) The total acreage of industrial hemp that was harvested in the immediately preceding growing season.

(c) The total acreage of industrial hemp that was disposed of in the immediately preceding growing season.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020;—Am. 2021, Act 4, Imd. Eff. Mar. 24, 2021.

333.29505 List of prohibited industrial hemp varieties; website; enforcement response policy.

Sec. 505. (1) The department may create and maintain on its website a list of prohibited industrial hemp varieties.

(2) The department shall develop an enforcement response policy for use under chapter VI. The enforcement response policy must provide for consideration and application of all of the following factors:

(a) Whether a grower has committed 1 or more violations under chapter VI.

(b) The severity of a violation under chapter VI.

(c) Whether a person has had previous contact with the department about violations or attempted violations under chapter VI.

(d) Past enforcement actions under chapter VI.

(e) Any other circumstances as determined by the department.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020;—Am. 2021, Act 4, Imd. Eff. Mar. 24, 2021.

333.29507 Application maintenance.

Sec. 507. The department shall maintain an application submitted under section 201 for 5 years.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020.

333.29509 Official regulatory testing facility.

Sec. 509. (1) The department's laboratory is the official regulatory testing facility for testing official hemp samples under chapter IV.

(2) The department may contract with a third-party laboratory to conduct the testing of official hemp samples under chapter IV. A third-party laboratory must meet all of the following requirements:

(a) Be registered with the DEA.

(b) Meet the standards under chapter IV.

(c) Provide copies of any certified report that states the results of a total delta-9-THC test completed under section 403 to the department within 24 hours after the total delta-9-THC test is completed.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020;—Am. 2021, Act 4, Imd. Eff. Mar. 24, 2021.

333.29511 Grower fees.

Sec. 511. (1) A grower is subject to the following fees, as applicable:

(a) A registration fee of \$1,250.00.

(b) A growing location modification fee of \$50.00 for each growing location modification request form submitted under section 311.

(2) A grower shall pay a fee required under this act at the time an application is submitted under section 201 or at the time the growing location modification request form is submitted under section 311. The fee must be paid using a method prescribed by the department.

(3) A fee required under this act is nonrefundable and nontransferable.

(4) A grower shall pay a fee charged for total delta-9-THC testing under chapter IV within 15 days after receiving the invoice. A fee under this subsection is limited to the reasonable costs of conducting the testing.

(5) A grower shall pay a fee charged for the collection of an official hemp sample within 15 days after receiving the invoice. A fee under this subsection is limited to the reasonable costs of collecting the official hemp sample.

(6) The department may refer a fee charged under subsection (4) or (5) that remains unpaid for more than 180 days to the department of treasury for collection.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020;—Am. 2021, Act 4, Imd. Eff. Mar. 24, 2021.

333.29513 Local rule, regulation, code, or ordinance; prohibited.

Sec. 513. A political subdivision of this state shall not adopt a rule, regulation, code, or ordinance that restricts or limits the requirements under this act.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020.

333.29515 Annual inspection.

Sec. 515. The department shall conduct an annual inspection of randomly selected growers to verify that industrial hemp is grown in compliance with this act.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020.