

# STATE OF NEW YORK

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6787

2017-2018 Regular Sessions

## IN SENATE

June 17, 2017

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Introduced by Sen. O'MARA -- (at request of the Governor) -- read twice  
and ordered printed, and when printed to be committed to the Committee  
on Rules

AN ACT to amend the agriculture and markets law, in relation to the  
inspection and sale of industrial hemp seeds, the support of the  
industrial hemp industry and the inclusion of industrial hemp as a  
crop

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Declaration of legislative findings and intent. It is here-  
2 by found and declared that industrial hemp is an agricultural commodity,  
3 the domestic cultivation of which has the potential not only to generate  
4 new jobs in agriculture and enhance the profitability of New York farms,  
5 but to expand opportunities for processors and manufacturers producing a  
6 wide array of traditional and new products using industrial hemp.

7 It is the declared policy of the state to become a leader in encourag-  
8 ing and supporting research into the growth, cultivation, uses, process-  
9 ing and development of industrial hemp and products derived from indus-  
10 trial hemp to benefit its people and to support New York farms and  
11 businesses to the full extent permitted by law.

12 § 2. Subdivision 3 of section 136 of the agriculture and markets law,  
13 as amended by chapter 160 of the laws of 1983, is amended to read as  
14 follows:

15 3. The terms "agricultural seeds" and "crop seeds" include the seeds  
16 of grass, forage, cereal, field beans, and fiber crops, including  
17 "industrial hemp" as defined in section five hundred five of this chap-  
18 ter, or any other kinds of seeds commonly recognized within this state  
19 as agricultural seeds, lawn seeds, and mixtures of such seeds.

20 § 3. Subdivision 2 of section 301 of the agriculture and markets law  
21 is amended by adding a new paragraph 1 to read as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD12018-01-7

1 1. Industrial hemp as defined in section five hundred five of this  
2 chapter.

3 § 4. The agriculture and markets law is amended by adding a new  
4 section 510 to read as follows:

5 § 510. Industrial hemp seed certification program. The commissioner  
6 shall establish an industrial hemp seed certification program in the  
7 department to, among other things, set industrial hemp seed certif-  
8 ication standards and establish seed quality benchmarks to ensure that  
9 the local hemp cultivars are developed to be well adapted for New York  
10 state's climate and farm management practices and that they are stable  
11 with respect to the concentration of delta-9 tetrahydrocannabinol.

12 § 5. The agriculture and markets law is amended by adding a new  
13 section 511 to read as follows:

14 § 511. Industrial hemp data collection and best farming practices.  
15 The department, through the commissioner, shall have the power to  
16 collect and publish data and research concerning, among other things,  
17 the growth, cultivation, production and processing methods of industrial  
18 hemp and products derived from industrial hemp. Based upon this  
19 collection of data and research, the department shall work with the  
20 cornell cooperative extension to promote best farming practices for  
21 industrial hemp which are compatible with state water quality and other  
22 environmental objectives.

23 § 6. The agriculture and markets law is amended by adding a new  
24 section 512 to read as follows:

25 § 512. Industrial hemp economic development. The commissioner shall  
26 consult and cooperate with the New York State urban development corpo-  
27 ration with respect to the funding and support of research concerning  
28 industrial hemp and businesses involved in the processing and manufac-  
29 turing of industrial hemp products.

30 § 7. The agriculture and markets law is amended by adding a new  
31 section 513 to read as follows:

32 § 513. Industrial hemp one-stop shop. The commissioner shall establish  
33 a department one-stop shop hotline and webpage to provide information  
34 and technical assistance to producers and manufacturers with respect to  
35 the law and regulations surrounding industrial hemp for so long as  
36 industrial hemp is subject to regulation under the federal or state  
37 Controlled Substances Act.

38 § 8. The agriculture and markets law is amended by adding a new  
39 section 514 to read as follows:

40 § 514. Industrial hemp workgroup. The commissioner shall appoint a New  
41 York state industrial hemp workgroup, composed of researchers, produc-  
42 ers, processors and manufacturers, serving two-year terms, to make  
43 recommendations concerning research topics for the industrial hemp  
44 research pilot program, state and federal policies and policy initi-  
45 atives, and opportunities for the promotion and marketing of industrial  
46 hemp as consistent with federal and state laws, rules and regulations,  
47 which workgroup shall continue for such time as the commissioner deems  
48 appropriate.

49 § 9. This act shall take effect immediately.