STATE OF NEW YORK

6787

2017-2018 Regular Sessions

IN SENATE

June 17, 2017

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 Assembly, do enact as follows:

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

It is the declared policy of the state to become a leader in encouraging and supporting research into the growth, cultivation, uses, processing and development of industrial hemp and products derived from industrial hemp to benefit its people and to support New York farms and businesses to the full extent permitted by law.

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

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

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

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

LBD12018-01-7

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

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

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

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

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

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

§ 512. Industrial hemp economic development. The commissioner shall consult and cooperate with the New York State urban development corporation with respect to the funding and support of research concerning industrial hemp and businesses involved in the processing and manufacturing of industrial hemp products.

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

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

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

§ 514. Industrial hemp workgroup. The commissioner shall appoint a New York state industrial hemp workgroup, composed of researchers, producers, processors and manufacturers, serving two-year terms, to make recommendations concerning research topics for the industrial hemp research pilot program, state and federal policies and policy initiatives, and opportunities for the promotion and marketing of industrial hemp as consistent with federal and state laws, rules and regulations, which workgroup shall continue for such time as the commissioner deems appropriate.

§ 9. This act shall take effect immediately.