

1 ENGROSSED HOUSE
2 BILL NO. 3666

By: Kannady and Wallace of the
House

3 and

4 David and Thompson of the
5 Senate

6
7 [agriculture - Oklahoma Industrial Hemp Program -
8 effective date]
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY Section 4, Chapter 64, O.S.L.
13 2018, as amended by Section 5, Chapter 91, O.S.L. 2019 (2 O.S. Supp.
14 2019, Section 3-404), is amended to read as follows:

15 Section 3-404. A. A person intending to engage in industrial
16 hemp growth, cultivation, handling or processing authorized under
17 the Oklahoma Industrial Hemp Program shall apply to the Oklahoma
18 Department of Agriculture, Food, and Forestry for a license prior to
19 planting, handling or processing the industrial hemp.

20 1. The application shall include:

21 a. the name and address of the applicant,

22 b. the legal description, global positioning system
23 location, and map of the land area on which the

24 applicant will engage in industrial hemp growth and

1 cultivation operations, handling operations or
2 processing operations, and

3 c. a statement of intended end use.

4 2. By submitting an application, the applicant acknowledges and
5 agrees that:

6 a. information provided to the Department may be provided
7 to law enforcement agencies,

8 b. the applicant shall allow and fully cooperate with any
9 inspection and sampling that the Department deems
10 necessary,

11 c. the applicant will submit all required reports by the
12 applicable due dates specified by the Department, and

13 d. the applicant has the legal right to cultivate, handle
14 or process industrial hemp on the registered land area
15 and shall grant the Department access for inspection
16 and sampling.

17 B. The Department shall establish rules to help prevent cross-
18 pollination of industrial hemp crops. Applications shall not be
19 approved unless a buffer zone, as defined by the Department, is
20 provided between licensees' land areas on which the licensees will
21 engage in industrial hemp growth.

22 C. The Department shall establish deadlines for submitting
23 applications and limits for the number of applicants seeking to
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1 engage in industrial hemp growth in areas that are in close
2 approximation.

3 The Department shall collect a nonrefundable fee from the
4 applicant at the time of application. The Department shall set a
5 fee schedule based on the size and use of the land area on which the
6 licensee will conduct industrial hemp growing or cultivation
7 operations and shall set the fee at a level sufficient to generate
8 the amount of monies necessary to cover the Department's direct
9 costs in implementing the Oklahoma Industrial Hemp Program. Denied
10 applications for a license may be resubmitted within a twelve-month
11 period. The Department may waive the fee for resubmitted
12 applications.

13 ~~C.~~ D. A license issued pursuant to this section is valid for
14 one (1) year. In order to continue engaging in industrial hemp
15 growth and cultivation operations in Oklahoma, the licensee shall
16 annually apply for a license in accordance with subsection A of this
17 section. The Department may set a separate fee schedule for renewal
18 of existing licenses in good standing.

19 ~~D.~~ E. All industrial hemp plant material shall be planted,
20 grown and harvested under a valid license. Any plant material that
21 is not harvested in the license period in which it was planted or
22 volunteer plants that are not destroyed must be declared for
23 inclusion in a subsequent license.

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1 ~~E.~~ F. If the licensee wishes to alter the land area on which
2 the licensee will conduct industrial hemp growth, cultivation,
3 handling or processing operations within thirty (30) days of any new
4 license, before altering the area, the licensee shall submit to the
5 Department an updated legal description, global positioning system
6 location, and map specifying the proposed alterations.

7 ~~F.~~ G. Each licensee shall report any changes to information
8 provided in the license application within ten (10) days of such
9 change to the Department.

10 ~~G.~~ H. A licensee shall maintain all records pertaining to the
11 license and growing records for a minimum of three (3) years.

12 ~~H.~~ I. The Department shall promulgate rules necessary to
13 implement the licensing program and to implement the Oklahoma
14 Industrial Hemp Program.

15 ~~I.~~ J. The Department shall promulgate rules to facilitate
16 transportation of industrial hemp.

17 SECTION 2. AMENDATORY Section 6, Chapter 64, O.S.L.
18 2018, as amended by Section 6, Chapter 91, O.S.L. 2019 (2 O.S. Supp.
19 2019, Section 3-406), is amended to read as follows:

20 Section 3-406. A. At least thirty (30) days prior to harvest,
21 each licensee shall file a harvest report on a form approved by the
22 Department that includes:

23 1. A statement of intended disposition of its industrial hemp
24 crop; and

1 2. The harvest date or dates, location and yield of each
2 variety cultivated within a registered land area.

3 B. A licensee shall notify the Department immediately of any
4 changes in a reported harvest date by more than five (5) days.

5 C. The Department shall establish a registry of licensees and
6 harvest reports approved by the Department that is accessible by the
7 public on their website. The registry shall allow licensees and
8 potential applicants to determine areas and location of industrial
9 hemp crops.

10 SECTION 3. This act shall become effective November 1, 2020.

11 Passed the House of Representatives the 10th day of March, 2020.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2020.

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Presiding Officer of the Senate

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