

**HOUSE BILL No. 2209**

By Committee on Agriculture

1-31

1 AN ACT concerning agriculture; enacting the alternative crop research act;  
2 amending K.S.A. 2016 Supp. 21-5702 and repealing the existing  
3 section.

4  
5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) Sections 1 and 2, and amendments thereto, shall  
7 be known and may be cited as the alternative crop research act.

8 (b) As used in the alternative crop research act:

9 (1) "Certified seed" means industrial hemp seed that has been  
10 certified as having no more tetrahydrocannabinol concentration than that  
11 adopted by federal law in the controlled substances act, 21 U.S.C. § 801 et  
12 seq.

13 (2) "Department" means the Kansas department of agriculture.

14 (3) "Hemp products" means all products made from industrial hemp,  
15 including, but not limited to, cloth, cordage, fiber, food, fuel, paint, paper,  
16 particleboard, plastics, seed, seed metal and seed oil for consumption and  
17 certified seed for cultivation, if the seeds originate from industrial hemp  
18 varieties.

19 (4) "Industrial hemp" means all parts and varieties of the plant  
20 cannabis sativa, cultivated or possessed by a state educational institution or  
21 the department, whether growing or not, that contain a  
22 tetrahydrocannabinol concentration of no more than that adopted by  
23 federal law in the controlled substances act, 21 U.S.C. § 801 et seq.

24 (5) "Seed research" means research conducted to develop or recreate  
25 better strains of industrial hemp, particularly for the purpose of seed  
26 production.

27 (6) "State educational institution" means the university of Kansas,  
28 Kansas state university, Wichita state university, Emporia state university,  
29 Pittsburg state university and Fort Hays state university.

30 (7) "Tetrahydrocannabinol" or "THC" means the natural or synthetic  
31 equivalents of the substances contained in the plant or in the resinous  
32 extractives of cannabis or any synthetic substances, compounds, salts or  
33 derivatives of the plant or chemicals and their isomers with similar  
34 chemical structure and pharmacological activity.

35 New Sec. 2. (a) The department, alone or in coordination with a state  
36 educational institution, may cultivate industrial hemp grown from certified

1 seed and promote the research and development of industrial hemp. This  
2 research may include:

3 (1) Oversight and analysis of growth of industrial hemp to conduct  
4 agronomy research and analysis of required soils, growing conditions and  
5 harvest methods relating to the production of various varieties of industrial  
6 hemp that may be suitable for various commercial hemp products;

7 (2) seed research on various types of industrial hemp that are best  
8 suited to be grown in Kansas, including seed availability, creation of  
9 hybrid types, in-the-ground variety trials and seed production;

10 (3) analysis on the economic feasibility of developing an industrial  
11 hemp market in various types of industrial hemp that can be grown in  
12 Kansas;

13 (4) analysis on the estimated value-added benefits, including  
14 environmental benefits, that Kansas businesses would reap by having an  
15 industrial hemp market of Kansas-grown industrial hemp varieties;

16 (5) a study on the agronomy research conducted worldwide relating  
17 to industrial hemp varieties, production and utilization; and

18 (6) a study on the feasibility of attracting federal and private funding  
19 for industrial hemp research.

20 (b) The secretary of agriculture shall have the authority to promulgate  
21 rules and regulations to carry out the provisions of the alternative crop  
22 research act.

23 (c) Nothing in the alternative crop research act shall be construed to  
24 authorize any person to violate any federal law.

25 Sec. 3. K.S.A. 2016 Supp. 21-5702 is hereby amended to read as  
26 follows: 21-5702. (a) Prosecutions for crimes committed prior to July 1,  
27 2009, shall be governed by the law in effect at the time the crime was  
28 committed. For purposes of this section, a crime was committed prior to  
29 July 1, 2009, if any element of the crime occurred prior thereto.

30 (b) The prohibitions of this act shall apply unless the conduct  
31 prohibited is authorized by the pharmacy act of the state of Kansas, the  
32 uniform controlled substances act, *the alternative crop research act* or  
33 otherwise authorized by law.

34 Sec. 4. K.S.A. 2016 Supp. 21-5702 is hereby repealed.

35 Sec. 5. This act shall take effect and be in force from and after its  
36 publication in the statute book.