

**SENATE BILL No. 345**

By Committee on Agriculture and Natural Resources

1-30

1 AN ACT concerning industrial hemp; relating to the effective disposal  
2 thereof by the department of agriculture in coordination with state or  
3 local law enforcement.

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

6 Section 1. (a) Whenever a person licensed under the commercial  
7 industrial hemp act is required to conduct effective disposal of industrial  
8 hemp, the Kansas department of agriculture shall notify state or local law  
9 enforcement agencies with jurisdiction in the area in which the industrial  
10 hemp was grown that effective disposal is required.

11 (b) The department shall develop a plan for effective disposal of  
12 industrial hemp in coordination with the state or local law enforcement  
13 agency notified pursuant to subsection (a).

14 (c) (1) In order to carry out the provisions of this section, the  
15 department is authorized to perform any action necessary to ensure that  
16 effective disposal of industrial hemp occurs, including, but not limited to:

17 (A) Taking temporary possession of the industrial hemp;

18 (B) destroying the industrial hemp; or

19 (C) supervising and directing any appropriate method of effective  
20 disposal.

21 (2) The state or local law enforcement agency shall approve in  
22 advance any such action taken by the department or any person under the  
23 department's direction or supervision.

24 (d) (1) The secretary may require any employee or agent of the  
25 department who participates in the effective disposal of industrial hemp to  
26 be fingerprinted and to submit to a state and national criminal history  
27 record check annually. The secretary may use the information obtained  
28 from fingerprinting and the criminal history record check to verify the  
29 identity of the employee or agent and determine whether the employee or  
30 agent has been convicted of a felony violation of article 57 of chapter 21  
31 of the Kansas Statutes Annotated, and amendments thereto, or a  
32 substantially similar offense in another jurisdiction, within the 10 years  
33 immediately preceding submission of such criminal history record check.  
34 The department is authorized to submit the fingerprints to the Kansas  
35 bureau of investigation and the federal bureau of investigation for a state  
36 and national criminal history record check.

1       (2) Local and state law enforcement officers and agencies shall assist  
2 in the taking and processing of fingerprints of such employee or agent of  
3 the department. Local law enforcement officers and agencies may charge a  
4 fee as reimbursement for expenses incurred in the taking and processing of  
5 fingerprints under this subsection. The department shall pay the costs of  
6 fingerprinting and the state and national criminal history record check.

7       (e) The department and the appropriate state or local law enforcement  
8 agency may seek reimbursement from any individual licensed under the  
9 commercial industrial hemp act for any costs incurred in conducting  
10 effective disposal of industrial hemp.

11       (f) The department shall have no authority to conduct effective  
12 disposal for any industrial hemp or cannabis plant produced by individuals  
13 not licensed under the commercial industrial hemp act.

14       (g) Nothing in this section shall limit the jurisdiction or authority of  
15 state or local law enforcement to enforce article 57 of chapter 21 of the  
16 Kansas Statutes Annotated, and amendments thereto.

17       (h) This section shall be a part of and supplemental to the commercial  
18 industrial hemp act, K.S.A. 2019 Supp. 2-3901 et seq., and amendments  
19 thereto.

20       Sec. 2. This act shall take effect and be in force from and after its  
21 publication in the Kansas register.