AN ACT concerning agriculture; enacting the alternative crop research act; amending K.S.A. 2015 Supp. 21-5702 and repealing the existing section.

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

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

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

(1) "Agricultural pilot program" means a pilot program to study the growth, cultivation or marketing of industrial hemp in a manner that:

(A) Ensures that only state educational institutions and the department may grow or cultivate industrial hemp;

(B) requires that sites used for growing or cultivating industrial hemp in this state be certified by, and registered with, the department; and

(C) authorizes the department to promulgate rules and regulations to carry out such pilot program in accordance with the purposes of section 7606 of the federal agricultural act of 2014.

(2) "Certified seed" means industrial hemp seed that has been certified as having no more delta-9 tetrahydrocannabinol concentration than 0.3% on a dry weight basis.

(3) "Department" means the Kansas department of agriculture.

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

(5) "Industrial hemp" means all parts and varieties of the plant cannabis sativa, cultivated or possessed by a state educational institution or the department, whether growing or not, that contain a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis.

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

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

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

New Sec. 2. (a) Pursuant to section 7606 of the federal agricultural act of 2014, the department, alone or in coordination with a state educational institution, may establish an agricultural pilot program to cultivate industrial hemp grown from certified seed and promote the research and development of industrial hemp. This research may include:

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

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

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

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

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

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

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

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

(d) The secretary of agriculture shall register and certify no more than 12 acres in this state for sites to grow or cultivate industrial hemp for such agricultural pilot program. Four acres shall be located in the western third of Kansas, four acres shall be located in the Wichita metropolitan area and four acres shall be located in northeast Kansas as such geographic areas are defined by the secretary of agriculture in rules and regulations.

Sec. 3. K.S.A. 2015 Supp. 21-5702 is hereby amended to read as follows: 21-5702. (a) Prosecutions for crimes committed prior to July 1, 2009, shall be governed by the law in effect at the time the crime was committed. For purposes of this section, a crime was committed prior to
July 1, 2009, if any element of the crime occurred prior thereto.

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

Sec. 4. K.S.A. 2015 Supp. 21-5702 is hereby repealed.

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