

LEGAL SERVICES

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MEMORANDUM

February 12, 2015

SUBJECT: Sectional Summary of SB 8 (Work Order No. 29-LS0195\A)

TO: Senator Johnny Ellis
Attn: Matthew Moser

FROM: Hilary V. Martin
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill -- the bill itself is the best statement of its contents.

Section 1 establishes a license procedure in the Department of Natural Resources (DNR) for production of industrial hemp, including planting, growing, harvesting, processing, possessing, selling, or buying industrial hemp. This section also requires the Commissioner of DNR to adopt regulations relating to industrial hemp.

Section 2 creates an affirmative defense to a prosecution under AS 11.71.030 - 11.71.060 for the manufacture, delivery, possession, possession with intent to manufacture or deliver, or display of a schedule VI controlled substance if the person was licensed to produce industrial hemp and in compliance with the term of the license.

Section 3 authorizes the Department of Public Safety to conduct a national criminal history record check for licensure as an industrial hemp producer in AS 12.62.400.

Section 4 states that a person who is licensed under sec. 1 of the bill to produce industrial hemp is not required to be licensed as a marijuana establishment under AS 17.38.100.

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