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CSSB 27 Industrial Hemp Version I

Sectional Analysis

"An Act relating to industrial hemp; and providing for an effective date."

Section 1 – AS 03.05.010(a) – Page 1, Line 3 through Page 3, Line 8

Two subsections added to this section authorizing the commissioner of the Department of Natural Resources to include the manufacturing and retail sales of products made from industrial hemp, as well as registration and renewal procedures, in the regulations for the industrial hemp program.

Section 2 – AS 03.05.010(c) – Page 3, Lines 9 through 26

Amends AS 03.05.010(c) regarding stop orders. New language specifies that the Department shall issue a stop order to an unregistered grower and to registered growers who are producing a plant with a THC content above 1.0 percent. The section says that the Department may issue a stop order for registered growers producing a plant between .3 and 1.0 percent THC.

Section 3 – AS 03.05.076(a) – Page 3, Lines 27 through Page 4, Line 11

Adds language that a registrant for the industrial hemp program is not eligible if they had been convicted of a felony involving a controlled substance within the last ten years. This section is added to comply with provisions of the 2018 Farm Bill.

Section 4 – AS 03.05.076(e) – Page 4, Lines 12 through 20

Amends AS 03.05.076(e) regarding stop sale orders to conform with the changes in section 2 of the bill, specifically that stop sale order and violations shall be issued to those producing without a registration.

Section 5 – AS 03.05.076(i) – Page 4, Lines 21 through 24

Adds that the department may develop an industrial hemp program that complies with federal requirements and submit a plan for the program to USDA for approval.

Section 6 – AS 03.05.079 – Page 4, Line 25 through 31

A grower may retain and recondition their crop if it tests above .3% but below 1.0% THC.

Section 7 – AS 03.05.079(b) – Page 5, Lines 1 through 3

A new subsection adds that a person who retains but fails to recondition is guilty of a violation.

Section 8 – AS 03.05.100(5) – Page 5, Lines 4 through 10

Changes the statutory definition of industrial hemp to match the federal definition which was changed in the 2018 Farm Bill.

Section 9 – Page 5, Line 11

Repeals AS 03.05.077 the Industrial Hemp Pilot Program

Section 10 – Page 5, Lines 12 through 20

Conditional effect for Section 9 of the bill, in that the Pilot Program statute is repealed when the Industrial Hemp Program developed by the department is approved by the USDA.

Section 11 – Page 5, Lines 21 through 23

Effective date language stating that if section 9 is repealed under the conditions of section 10, the effective date of section 9 is the day after notice is received by the revisor of statutes from the Commissioner of Natural Resources that the USDA has approved an Alaska Industrial Hemp Program.

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