

By Representative Stanford

SHB 1401 - H COMM AMD

By Committee on Appropriations

1 On page 3, after line 14, insert the following:

2 "(4)(a) Immediately upon the effective date of this section, and
3 before the adoption of rules implementing this chapter, persons
4 licensed to grow hemp under chapter 15.120 RCW may produce hemp in a
5 manner otherwise consistent with the provisions of this chapter and
6 the agriculture improvement act of 2018, P.L. 115-34.

7 (b) The whole hemp plant may be used as food. When processing
8 hemp for food products all tests and handling procedures generally
9 applicable to the production and processing of nonhemp foods for
10 human consumption must be followed. Nothing in this subsection
11 prohibits any activity authorized under federal law regarding the
12 production and processing of hemp. Any hemp products intended for
13 human consumption that are authorized under federal law are
14 permissible for sale and use within this state.

15 NEW SECTION. **Sec. 4.** Hemp and hemp products produced in
16 accordance with this chapter or produced lawfully under the laws of
17 another state, tribe, or country may be transferred and sold within
18 this state, outside of this state, and internationally."

19 Renumber the remaining sections consecutively and correct any
20 internal references accordingly.

21 Beginning of page 4, line 31, strike all of section 7 and insert
22 the following:

23 "NEW SECTION. **Sec. 7.** A person producing hemp under this
24 chapter must notify the department of the source of the hemp seed or
25 clones to maintain a record of the sources of seeds and clones being
26 used or having been used for hemp production in this state. Hemp seed
27 is an agricultural seed."

28 On page 20, after line 31, insert the following:

1 "NEW SECTION. **Sec. 15.** (1) No law or rule related to certified
2 or interstate hemp seeds applies to or may be enforced against a
3 person with a license to produce or process hemp issued under chapter
4 15.120 RCW or this chapter; and

5 (2) No department or other state agency rule may establish or
6 enforce a buffer zone or distance requirement between a person with a
7 license or authorization to produce or process hemp under chapter
8 15.120 RCW or this chapter and a person with a license to produce or
9 process marijuana issued under chapter 69.50 RCW."

10 Renumber the remaining sections consecutively and correct any
11 internal references accordingly.

12 On page 21, line 1, after "11" insert "and 15"

EFFECT: Authorizes persons licensed to produce hemp under the existing Industrial Hemp Research Program to immediately, upon the effective date of the act and prior to the adoption of implementing rules, begin producing hemp when in conformance with state and federal law. Provides that hemp and hemp products produced in accordance with the new authorization or produced lawfully under the laws of another state, tribe, or country may be transferred and sold within Washington, outside of Washington, and internationally. Provides that the whole hemp plant may be used as food and that all tests and handling procedures generally applicable to the production and processing of nonhemp foods for human consumption must be followed with respect to hemp. Requires notification to the Washington State Department of Agriculture (WSDA) of the source of hemp seeds and clones, and removes all other provisions related to seed sourcing and the WSDA's duty to develop a list of approved seed cultivars. Declares hemp seed to be an agricultural seed. Prohibits the application of laws and rules relating to certified or interstate hemp seeds or buffer zones between hemp producers or processors and marijuana producers or processors.

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