

## SENATE BILL NO. 176

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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF AGRICULTURE TO DEVELOP  
A STATE HEMP CERTIFICATION PROGRAM PLAN; ALLOWING FOR THE IMPLEMENTATION OF A STATE  
HEMP CERTIFICATION PROGRAM BY THE DEPARTMENT; PROVIDING RULEMAKING AUTHORITY; AND  
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Hemp certification program -- plan -- department authority --  
rulemaking.** (1) (a) The department may develop a state hemp certification program plan.

(b) If developed, the plan must conform with applicable federal standards and industry best practices.

(c) If a hemp commodity advisory committee is formed in accordance with 80-11-510, the department  
shall request the committee's input in developing the plan.

(2) The department may implement a state hemp certification program in accordance with chapter 18,  
this section, and rules adopted by the department in accordance with subsection (5) of this section.

(3) (a) A state hemp certification program must ensure that a product sold or labeled as Montana hemp:

(i) is grown under a valid state license and in accordance with chapter 18; and

(ii) undergoes laboratory testing protocols to meet applicable state and federal food safety and product  
labeling laws.

(b) A state hemp certification program may contain requirements that are more stringent than those  
contained in federal law or regulation.

(4) After establishment of a state hemp certification program, the department shall include the promotion  
of Montana-certified hemp in its agricultural product marketing programs.

(5) If the department establishes a state hemp certification program, the department shall adopt rules  
necessary to implement the program. The rules may include but are not limited to:

(a) provisions for the operation of a state hemp certification program by the department;

1 (b) fees to be paid by applicable entities commensurate to the costs of operating a state hemp  
2 certification program;

3 (c) penalties and enforcement provisions for a state hemp certification program; and

4 (d) additional requirements necessary for administering a state hemp certification program.

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6 **NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an  
7 integral part of Title 80, chapter 11, and the provisions of Title 80, chapter 11, apply to [section 1].

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9 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

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