

HOUSE BILL NO. 381

INTRODUCED BY D. DUNN

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LIMIT OF TETRAHYDROCANNABINOL IN INDUSTRIAL HEMP; CLARIFYING DEFINITIONS; ~~AND~~ AMENDING SECTIONS 80-18-101, ~~AND~~ 80-18-102, AND 80-18-106, MCA; AND PROVIDING A CONTINGENT EFFECTIVE DATE."

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

Section 1. Section 80-18-101, MCA, is amended to read:

"80-18-101. Definitions. As used in this part, the following definitions apply:

(1) "Industrial hemp" means all parts ~~and varieties, including the seeds and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not,~~ of the plant Cannabis sativa L. containing no greater than ~~0.3%~~ 3% 6% tetrahydrocannabinol.

(2) "Marijuana" means all plant material from the genus Cannabis containing more than 3% 6% tetrahydrocannabinol (THC) or seeds of the genus capable of germination."

Section 2. Section 80-18-102, MCA, is amended to read:

"80-18-102. Industrial hemp authorized as agricultural crop. Industrial hemp ~~that has no more than 0.3% tetrahydrocannabinol~~ is considered an agricultural crop in this state. Upon meeting the requirements of 80-18-103, an individual in this state may plant, grow, harvest, possess, process, sell, or buy industrial hemp if the industrial hemp does not contain more than ~~0.3%~~ 3% 6% tetrahydrocannabinol."

SECTION 3. SECTION 80-18-106, MCA, IS AMENDED TO READ:

"80-18-106. Industrial hemp production -- notification requirements. (1) Each licensee shall file with the department:

(a) documentation showing that the seeds planted are of a type and variety certified to have no more than ~~0.3%~~ 6% tetrahydrocannabinol; and

(b) a copy of any contract to grow industrial hemp.

(2) Each licensee shall notify the department of the sale or distribution of any industrial hemp grown by



1 the licensee, including the name and address of the person receiving the industrial hemp."

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3 NEW SECTION. SECTION 4. CONTINGENT EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON THE DATE THAT THE
4 MONTANA DEPARTMENT OF AGRICULTURE IS GRANTED PRIMACY TO ADMINISTER THE PRODUCTION OF INDUSTRIAL HEMP
5 BY THE UNITED STATES DEPARTMENT OF AGRICULTURE.

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- END -