
A BILL FOR AN ACT

RELATING TO INDUSTRIAL HEMP.

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

1 SECTION 1. The legislature finds that agriculture has
2 always been an especially important industry to Hawaii. Having
3 a strong and vibrant agricultural industry has a number of well-
4 recognized benefits for the State, including:

- 5 (1) Diversified job opportunities;
- 6 (2) Less reliance on imported foods and beverages;
- 7 (3) Fresh, locally sourced food products for residents and
8 visitors to enjoy;
- 9 (4) Additional benefits from the by-products of
10 agricultural crops, including biomass energy and
11 manufactured goods; and
- 12 (5) Preservation of the State's green spaces.

13 The legislature further finds that industrial hemp in
14 particular has a very significant potential to be a successful
15 agricultural crop for the State. The report submitted by the
16 University of Hawaii pursuant to Act 56, Session Laws of Hawaii
17 2014, found that Hawaii's climate made it a particularly



H.B. NO. 95

1 promising place to grow subtropical varieties of industrial
2 hemp. Evidence suggested that three crops could be grown each
3 year in the State, potentially giving Hawaii a strong
4 competitive advantage for the growth of the hemp crop.

5 Act 228, Session Laws of Hawaii 2016, established an
6 industrial hemp pilot program to allow cultivation of industrial
7 hemp for agricultural or academic research purposes. Act 228
8 provides for a three-month window for applicants to apply for a
9 license from the board of agriculture. The legislature finds
10 that this short application window has the effect of preventing
11 new license applicants from taking full advantage of the State's
12 climatic advantages. Specifically, by prohibiting application
13 submissions between April 2 and December 31 of each year,
14 applicants are potentially forced to miss out on two full
15 industrial hemp crop cycles.

16 The purpose of this Act is to allow potential applicants to
17 the industrial hemp pilot program to apply for a license at any
18 time during the year in which the applicant plans to grow
19 industrial hemp.

20 SECTION 2. Section 141-33, Hawaii Revised Statutes, is
21 amended by amending subsections (a) to (c) to read as follows:



H.B. NO. 95

1 "(a) Each applicant for an industrial hemp license shall
2 submit a signed, complete, accurate, and legible application
3 form that is provided by the board [~~between January 1 and~~
4 ~~April 1 of the year in which the applicant plans to grow~~
5 ~~industrial hemp, which~~] and shall include the following:

6 (1) The applicant's name, mailing address, and phone
7 number in Hawaii and, if applicable, electronic mail
8 address;

9 (2) If the applicant is an individual or partnership, the
10 date of birth of the individual or partners;

11 (3) If the applicant is any business entity other than an
12 individual, partnership, or institution of higher
13 education, documentation that the entity is authorized
14 to do business in Hawaii;

15 (4) The cultivated variety that will be sown;

16 (5) The source and amount of certified seed to be used;

17 (6) The number of acres to be cultivated for seed, viable
18 grain, industrial products, or any combination
19 thereof;

20 (7) The global positioning system coordinates in decimal
21 degrees from the central most point of the growing



H.B. NO. 95

1 area to be cultivated and a map showing the location
2 of the growing area in terms of its address or legal
3 description;

4 (8) A statement that the applicant is the owner of the
5 growing area to be used for the cultivation or a
6 statement, signed by the owner of the growing area,
7 indicating that the owner has consented to that use;

8 (9) The address of the place in Hawaii where the applicant
9 will keep the records, books, electronic data, or
10 other documents that are required by this part;

11 (10) The name and address of each place where the
12 industrial hemp is to be stored, sold, or provided,
13 indicating for each place the form of the industrial
14 hemp; and

15 (11) The applicant's acknowledgment and agreement to the
16 following terms and conditions:

17 (A) Any information obtained by the board may be
18 publicly disclosed and provided to law
19 enforcement agencies without further notice to
20 the applicant or licensee;



H.B. NO. 95

- 1 (B) The applicant agrees to allow any inspection and
2 sampling that the board deems necessary;
- 3 (C) The applicant agrees to pay for any sampling and
4 analysis costs that the board deems necessary;
- 5 (D) The applicant agrees to submit all required
6 reports by the applicable due dates specified by
7 the board; and
- 8 (E) The applicant and any partner, directors, or
9 members have not been convicted of any felony
10 related to the possession, production, sale, or
11 distribution of a controlled substance in any
12 form in this or any other country.

13 (b) An application may be [~~received beginning on January 1~~
14 ~~of each year~~] submitted to the board at any time during the year
15 in which the applicant plans to grow industrial hemp and shall
16 be signed by the applicant or, in the case of a business entity,
17 one of its officers, directors, or partners, as the case may be,
18 and indicate that all information and documents submitted in
19 support of the application are correct and complete to the best
20 of the applicant's knowledge.



H.B. NO. 95

1 (c) Any incomplete application for a license [~~or an~~
 2 ~~application received after April 1 of any year,~~] shall be
 3 denied."

4 SECTION 3. Statutory material to be repealed is bracketed
 5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Richard Lujan

Cynthia Yvelin

Aindy Evans

Michelle Davis

Gregg Johnson

Lyn DeCorte

Mark

Carl J.

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H.B. NO. 95

Report Title:

Industrial Hemp; Agriculture; Licensing Period; Application

Description:

Amends the licensing procedures of the industrial hemp pilot program by allowing applicants to apply for a license at any time during the year in which the applicant plans to grow industrial hemp.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

