

JAN 21 2026

A BILL FOR AN ACT

RELATING TO INDUSTRIAL HEMP.

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

1 PART I

2 SECTION 1. The legislature finds that hemp cultivated for
3 industrial purposes, such as fiber, hurd, and grain, serves a
4 fundamentally different role than hemp that is cultivated for
5 cannabinoid extraction. Industrial or commercial hemp
6 production has the potential to bring significant revenues to
7 the State; however, the industry currently lacks a distinct
8 regulatory and development pathway.

9 Accordingly, the purpose of this Act is to establish a
10 clear and separate regulatory framework for industrial hemp that
11 is distinct from hemp grown for cannabinoids by:

12 (1) Establishing an industrial hemp program that includes
13 comprehensive licensing, education, and support for
14 non-cannabinoid industrial hemp cultivation and use;
15 (2) Establishing the industrial hemp program advisory
16 board to develop a strategic plan to establish and



1 expand the processing infrastructure and

2 commercialization of non-cannabinoid industrial hemp;

3 (3) Supporting research and development focused on local

4 adaptation, sustainability, and economic development

5 goals;

6 (4) Promoting partnerships with Native Hawaiian

7 practitioners, cooperatives, and aina-based programs;

8 and

9 (5) Adopting state building codes for hemp-based

10 materials, including hempcrete.

11 SECTION 2. This Act shall be cited as the "Hawaii
12 Industrial Hemp Infrastructure and Innovation Act".

PART II

14 SECTION 3. Chapter 141, Hawaii Revised Statutes, is
15 amended by adding a new part to be appropriately designated and
16 to read as follows:

"PART . . . INDUSTRIAL HEMP PROGRAM

18 §141-A Definitions. As used in this part:

19 "Advisory board" means the industrial hemp program advisory
20 board.



1 "Chairperson" means the chairperson of the board of
2 agriculture and biosecurity.

3 "Department" means the department of agriculture and
4 biosecurity.

5 "Industrial hemp" means the plant *Cannabis sativa* L. and
6 any part of that plant, except cannabidiol, with a delta-9
7 tetrahydrocannabinol concentration of not more than 0.3 per cent
8 on a dry weight basis grown for its fiber, seed, or oil.

9 "Industrial hemp" includes non-cannabidiol parts including seeds
10 and all derivatives, extracts, isomers, acids, salts, and salts
11 of isomers, whether growing or not. "Industrial hemp" excludes
12 hemp grown for the extraction of cannabidiol.

13 "Program" means the industrial hemp program.

14 **§141-B Industrial hemp program; established.** There is
15 established an industrial hemp program within the department for
16 administrative purposes to promote the non-cannabinoid hemp
17 industry. The program shall:

- 18 (1) Provide technical assistance to industrial hemp
19 farmers;
- 20 (2) Develop Hawaii-adapted industrial hemp seed varieties;
- 21 (3) Facilitate market access for industrial hemp products;



9 **§141-C Licensing.** (a) Beginning July 1, 2027, a person
10 who intends to grow non-cannabinoid industrial hemp in the State
11 for fiber, grain, or building materials shall apply to the
12 department for a license on a form prescribed by the department
13 and pay an application fee.

14 (b) Each applicant for a license shall be either an
15 individual applicant or an applying entity. If the applicant
16 is:

17 (1) An individual, the application shall include
18 supporting documentation to establish that the
19 individual:

20 (A) Is not less than twenty-one years of age; and



1 (B) Has no drug felony convictions in the ten years
2 immediately preceding the date of submission of
3 the application; or

4 (2) An entity, the application shall include supporting
5 documentation to establish that the entity:

6 (A) Has been organized under the laws of the State of
7 Hawaii;

8 (B) Has a Hawaii tax identification number;

9 (C) Has a department of commerce and consumer affairs
10 business registration division number and suffix;

11 (D) Has a federal employer identification number; and

12 (E) Is composed of principals or members, each of
13 whom have had no drug felony convictions in the
14 ten years immediately preceding the date of
15 submission of the application.

16 (c) Licensees shall comply with all county zoning
17 ordinances, rules, or regulations.

18 (d) If the chairperson determines that the requirements
19 for a license pursuant to this part, and any other requirements
20 established by rule, are satisfied, the chairperson shall issue



1 a license to the applicant upon payment of the fee established
2 in this section.

3 (e) Each license shall be valid for two years from the
4 date of issuance, after which the licensee shall be required to
5 renew the license and pay a renewal fee.

6 (f) The department may prescribe annual sampling,
7 inspection, and reporting requirements for licensees, including
8 a procedure for conducting annual inspections of a random sample
9 of industrial hemp producers to verify that industrial hemp is
10 not being produced in violation of this part; provided that the
11 procedure shall ensure that an industrial hemp producer is
12 subject to not more than one inspection each calendar year.

13 (g) Any license issued under the industrial hemp program
14 shall have continued validity under the original terms and
15 conditions of that license until it expires. Upon expiration,
16 the licensee may renew that license under new terms and
17 conditions that are compliant with this part, by paying a
18 renewal fee and applying for license renewal pursuant to a
19 process established by the chairperson.

20 (h) Licenses may be transferred upon approval by the board
21 of agriculture and biosecurity.



1 **S141-D Approved non-cannabinoid industrial hemp.** (a)
2 Only non-cannabinoid industrial hemp on the list of approved
3 cultivars grown for fiber, grain, or building materials shall be
4 grown. Notwithstanding chapter 91, the chairperson or the board
5 of agriculture and biosecurity may add or remove any cultivar
6 from the list.

7 (b) The list of approved cultivars shall include the
8 following:

- 9 (1) Industrial hemp cultivars that have been certified by
10 the Organisation for Economic Co-operation and
11 Development;
- 12 (2) Hawaii varieties of industrial hemp cultivars that
13 have been certified by the board of agriculture and
14 biosecurity; and
- 15 (3) Hemp genetics that are shown to:
 - 16 (A) Meet federal definitions of hemp;
 - 17 (B) Originate from any state with a federally
18 approved industrial hemp program; and
 - 19 (C) Utilize testing and sampling protocols similar to
20 those used in Hawaii's program or utilize a



1 nationally standardized sampling and testing
2 protocol.

3 **§141-E Inspections; fees.** (a) A licensee shall be
4 subject to the annual inspection and sampling of the licensee's
5 industrial hemp plants, plant material, seeds, growing area,
6 equipment, and facilities incident to the cultivation of
7 industrial hemp.

8 (b) Any authorized member of the department, or any agent
9 or third party authorized by the department, with prior notice
10 to the applicable licensee, may enter between sunrise and sunset
11 upon any property utilized for the cultivation of industrial
12 hemp pursuant to this part to conduct the annual inspection and
13 sampling pursuant to subsection (a).

14 (c) The department may set reasonable inspection and
15 sampling fees.

16 (d) The department may employ temporary inspectors to
17 assist in certification, audit, and inspection services under
18 this part.

19 **§141-F Transportation.** A licensee may transport, to
20 another site for processing and in a department-approved manner,



1 the resin, flowering tops, and leaves of the licensee's crop
2 that passed department-ordered compliance testing.

3 **S141-G Violations.** (a) In addition to any other
4 violations of this part, the following acts and omissions by any
5 licensee or authorized representative thereof constitute
6 violations:

7 (1) Refusal or failure by a licensee or authorized
8 representative to fully cooperate and assist the
9 department with the inspection or sampling process;

10 (2) Failure to provide any information reasonably required
11 or requested by the department for purposes pursuant
12 to this part;

13 (3) Providing materially false information pertaining to
14 the licensee's cultivation of industrial hemp to the
15 department by any means, including information
16 provided in any application form, report, record, or
17 inspection required or maintained pursuant to this
18 part;

19 (4) Failure to pay reasonable fees assessed by the
20 department for inspection or laboratory analysis
21 costs; or



1 (5) A material violation of any other state or federal law
2 or regulation regarding industrial hemp.

3 (b) For any violation of this part, the department may
4 impose civil penalties up to \$500 and disciplinary sanctions,
5 including denial or revocation of a license; provided that:

6 (1) If the department determines that a licensee has
7 negligently violated this part, the licensee shall
8 comply with a corrective action plan established by
9 the department to correct the violation, which may
10 include disposal of any industrial hemp crop, plant,
11 plant material, or seed, whether growing or not, and
12 products derived from those plants;

13 (2) An individual licensee that negligently violates this
14 part three times in a five-year period shall be
15 ineligible for the industrial hemp program, as either
16 an individual or as a principal or member of an
17 entity, for a period of five years beginning on the
18 date of the third violation;

19 (3) Each principal or member of an entity licensee that
20 negligently violates this part three times in a
21 five-year period shall be ineligible for the



industrial hemp program, as either an individual or as a principal or member of an entity, for a period of five years beginning on the date of the third violation; and

(4) Any applicant that materially falsifies any information contained in an application shall be ineligible to participate in the industrial hemp program.

S141-H Rules. (a) The department shall adopt rules pursuant to chapter 91 for the purposes of this part, which, at minimum, shall include:

(1) Annual inspection of a random sample of producers of industrial hemp during growth or after harvest to determine tetrahydrocannabinol levels; provided that an analytical testing of tetrahydrocannabinol levels greater than 0.3 per cent shall not result in revocation of a license so long as the crop from which the sample is taken is disposed of in a manner provided by rule;

(2) Licensure requirements;





1 agriculture and biosecurity may authorize the chairperson to
2 modify the industrial hemp program to effectuate any other
3 federal or state industrial hemp law or regulations; provided
4 that any license that has been issued as of that time shall
5 remain in effect until its expiration.

6 **S141-J Industrial hemp program advisory board;**

7 **established.** (a) There is established an industrial hemp
8 program advisory board to be appointed by the governor under
9 section 26-34. The advisory board shall consist of seven
10 members, as follows:

11 (1) Three farmers, including at least one farmer who shall
12 have demonstrated expertise in Native Hawaiian
13 traditional and customary practices;
14 (2) One materials scientist;
15 (3) One environmental economist; and
16 (4) Two representatives from the university of Hawaii
17 college of tropical agriculture and human resiliency.

18 The members of the board shall serve without compensation but
19 shall be reimbursed for expenses, including travel expenses,
20 actually incurred in the performance of their duties.



8 (1) Development of processing infrastructure;

9 (2) Support for value-added industrial hemp products;

10 (3) Standards, safety, and market readiness; and

11 (4) Inclusive participation and community benefit."

12 SECTION 4. Section 141-14, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§141-14 Industrial hemp special fund; established. (a)

15 There is created in the state treasury a special fund to be

16 designated as the industrial hemp special fund to be

17 administered by the department of agriculture and biosecurity.

18 Moneys deposited in this special fund shall be used to fulfill

19 the purposes of [this] part and shall include:

20 (1) Any moneys appropriated by the legislature to the
21 special fund;



1 (2) Any fees collected by the department of agriculture
2 and biosecurity in relation to the industrial hemp
3 [pilot] program; and

4 (3) The interest or return on investments earned from
5 moneys in the special fund.

6 (b) The department of agriculture and biosecurity may use
7 the moneys in the special fund to carry out the purposes of
8 [this part,] part _____, including hiring employees,
9 specialists, and consultants necessary to complete projects
10 related to the purposes of this part."

11 SECTION 5. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$800,000 or so much
13 thereof as may be necessary for fiscal year 2026-2027 to be
14 deposited into the industrial hemp special fund.

15 SECTION 6. There is appropriated out of the industrial
16 hemp special fund the sum of \$800,000 or so much thereof as may
17 be necessary for fiscal year 2026-2027 for the purposes of this
18 part.

19 The sum appropriated shall be expended by the department of
20 agriculture and biosecurity for the purposes of this Act.

21 PART III



1 SECTION 7. Section 107-25, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§107-25 Hawaii state building codes; requirements.** There
4 is established the Hawaii state building codes applicable to all
5 construction in the State of Hawaii. The Hawaii state building
6 codes shall be based upon:

7 (1) The state fire code as adopted by the state fire
8 council;

9 (2) The Uniform Plumbing Code, as copyrighted and
10 published by the International Association of Plumbing
11 and Mechanical Officials, including its appendices;

12 (3) The International Building Code, the International
13 Residential Code, and the International Energy
14 Conservation Code, as published by the International
15 Code Council;

16 (4) The National Electrical Code, as published by the
17 National Fire Protection Association;

18 (5) Hawaii design standards implementing the criteria
19 pursuant to Act 5, Special Session Laws of Hawaii,
20 2005, as applicable to:



1 (A) Emergency shelters built to comply with hurricane
2 resistant criteria, including enhanced hurricane
3 protection areas capable of withstanding a five
4 hundred-year hurricane event as well as other
5 storms and natural hazards; and

6 (B) Essential government facilities requiring
7 continuity of operations; [and]

8 (6) Code provisions based on nationally published codes or
9 standards that include but are not limited to
10 residential and hurricane resistant standards related
11 to loss mitigation standards in accordance with
12 section 431P-12, elevator, mechanical, flood and
13 tsunami, existing buildings, and onsite sewage
14 disposal[.]; and

15 (7) The 2024 International Residential Code Appendix BL
16 for hemp-line (hempcrete) construction and code
17 provisions for load-bearing criteria for hemp-based
18 insulation."

PART IV

20 SECTION 8. By April 1, 2027, the university of Hawaii
21 college of tropical agriculture and human resilience, in



1 partnership with the department of agriculture and biosecurity,
2 shall lead a coordinated research agenda focused exclusively on
3 non-cannabinoid industrial hemp applications. Research shall
4 support adaptation, sustainability, and economic development
5 goals. Priority areas shall include but not be limited to:

6 (1) Carbon sequestration and soil health, including the
7 ability of hemp to restore degraded or fallow
8 agricultural lands;

9 (2) Seed development and agronomic performance, including
10 conducting trials to optimize fiber, hurd, and grain
11 yield under varying conditions;

12 (3) Industrial material research that analyzes the
13 structural performance, moisture regulation, and
14 insulation capacity of hempcrete and other hemp-
15 derived construction materials; and

16 (4) Circular economy and lifecycle assessment by
17 evaluating industrial hemp's role in closed-loop
18 production systems, local supply chains, and waste to
19 resource models.

20 SECTION 9. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$400,000 or so much



1 thereof as may be necessary for fiscal year 2026-2027 for the
2 purposes of this part.

3 The sum appropriated shall be expended by the university of
4 Hawaii for the purposes of this Act.

5 PART V

6 SECTION 10. (a) The department of agriculture and
7 biosecurity shall invite Native Hawaiian traditional and
8 customary practitioners and community members to actively
9 participate in stewardship initiatives relating to industrial
10 hemp innovation. Areas of collaboration may include:

11 (1) Supporting aina-based learning and land restoration
12 projects led by Native Hawaiian communities;
13 (2) Integrating cultural stewardship practices, including
14 traditional ecological knowledge, into cultivation,
15 processing, and education frameworks; and
16 (3) Engaging in participatory planning and decision-making
17 processes to ensure culturally aligned program
18 development.

19 (b) The department of agriculture and biosecurity may
20 adopt rules to provide exemptions for Native Hawaiian
21 agricultural cooperatives or organizations from licensing fees



1 under the industrial hemp program established under
2 section 141-B, Hawaii Revised Statutes, in recognition of their
3 cultural, environmental, and community contributions.

4 SECTION 11. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$800,000 or so much
6 thereof as may be necessary for fiscal year 2026-2027 for farmer
7 incentives pursuant to this part.

8 The sum appropriated shall be expended by the department of
9 agriculture and biosecurity for the purposes of this Act.

10 PART VI

11 SECTION 12. In codifying the new sections added by
12 section 3 and referenced in section 10 of this Act, the revisor
13 of statutes shall substitute appropriate section numbers for the
14 letters used in designating the new sections in this Act.

15 SECTION 13. This Act does not affect rights and duties
16 that matured, penalties that were incurred, and proceedings that
17 were begun before its effective date.

18 SECTION 14. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



1 SECTION 15. This Act shall take effect on July 1, 2026.

2

INTRODUCED BY:

Mark W. Parker Jr.



S.B. NO. 2178

Report Title:

DAB; UH CTAHR; Industrial Hemp Program; Industrial Hemp Advisory Board; Native Hawaiian Practices; Non-Cannabinoid Industrial Hemp Infrastructure and Innovation; State Building Code; Hempcrete; Appropriations

Description:

Establishes an Industrial Hemp Program in the Department of Agriculture and Biosecurity that includes comprehensive licensing, education, and support for non-cannabinoid industrial hemp cultivation and use. Establishes the Industrial Hemp Program Advisory Board to develop a strategic plan to establish and expand the processing infrastructure and commercialization of industrial hemp. Requires the University of Hawaii College of Tropical Agriculture and Human Resilience to support research and development focused on local adaptation, sustainability, and economic development goals. Requires DAB to promote partnerships with Native Hawaiian practitioners, cooperatives, and aina-based programs. Adopts state building codes for hemp-based materials, including hempcrete. Appropriates funds.

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