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# 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 education and support for non-cannabinoid industrial  
14 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".

13 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:

17 "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 "Licensee" means cultivars who are licensed by the United  
14 States Department of Agriculture to grow non-cannabinoid  
15 industrial hemp.

16 "Program" means the industrial hemp program.

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



- 1 (1) Provide technical assistance to industrial hemp
- 2 farmers;
- 3 (2) Develop Hawaii-adapted industrial hemp seed varieties;
- 4 (3) Facilitate market access for industrial hemp products;
- 5 (4) Conduct educational outreach and workforce training in
- 6 industrial hemp applications, with a focus on
- 7 construction and regenerative agriculture; and
- 8 (5) Collaborate with the university of Hawaii, department
- 9 of land and natural resources, and department of
- 10 education on research, education, and integration of
- 11 the program into land restoration efforts and school
- 12 agriculture programs.

13 **§141-C Licensing.** (a) Beginning July 1, 2027, a person  
14 who intends to grow non-cannabinoid industrial hemp in the State  
15 for fiber, grain, or building materials shall apply to the  
16 United States Department of Agriculture for a license to  
17 cultivate non-cannabinoid industrial hemp.

18 (b) Licensees shall comply with all county zoning  
19 ordinances, rules, or regulations.

20 (c) The department may prescribe annual sampling,  
21 inspection, and reporting requirements for licensees, including



1 a procedure for conducting annual inspections of a random sample  
2 of industrial hemp producers to verify that industrial hemp is  
3 not being produced in violation of this part; provided that the  
4 procedure shall ensure that an industrial hemp producer is  
5 subject to not more than one inspection each calendar year.

6 **§141-D Approved non-cannabinoid industrial hemp.** (a)

7 Only non-cannabinoid industrial hemp on the list of approved  
8 cultivars grown for fiber, grain, or building materials shall be  
9 grown. Notwithstanding chapter 91, the chairperson or the board  
10 of agriculture and biosecurity may add or remove any cultivar  
11 from the list.

12 (b) The list of approved cultivars shall include the  
13 following:

14 (1) Industrial hemp cultivars that have been certified by  
15 the Organisation for Economic Co-operation and  
16 Development;

17 (2) Hawaii varieties of industrial hemp cultivars that  
18 have been certified by the board of agriculture and  
19 biosecurity; and

20 (3) Hemp genetics that are shown to:

21 (A) Meet federal definitions of hemp;



- 1 (B) Originate from any state with a federally  
2 approved industrial hemp program; and
- 3 (C) Utilize testing and sampling protocols similar to  
4 those used in Hawaii's program or utilize a  
5 nationally standardized sampling and testing  
6 protocol.

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

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

18 (c) The department may set reasonable inspection and  
19 sampling fees.



1 (d) The department may employ temporary inspectors to  
2 assist in certification, audit, and inspection services under  
3 this part.

4 **§141-F Transportation.** A licensee may transport, to  
5 another site for processing and in a department-approved manner,  
6 the resin, flowering tops, and leaves of the licensee's crop  
7 that passed department-ordered compliance testing.

8 **§141-G Violations.** (a) In addition to any other  
9 violations of this part, the following acts and omissions by any  
10 licensee or authorized representative thereof shall constitute  
11 violations:

- 12 (1) Refusal or failure by a licensee or authorized  
13 representative to fully cooperate and assist the  
14 department with the inspection or sampling process;
- 15 (2) Failure to provide any information reasonably required  
16 or requested by the department for purposes pursuant  
17 to this part;
- 18 (3) Providing materially false information pertaining to  
19 the licensee's cultivation of industrial hemp to the  
20 department by any means, including information  
21 provided in any application form, report, record, or



1 inspection required or maintained pursuant to this  
2 part;

3 (4) Failure to pay reasonable fees assessed by the  
4 department for inspection or laboratory analysis  
5 costs; or

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

8 (b) For any violation of this part, the department may  
9 impose civil penalties up to \$500 and disciplinary sanctions;  
10 provided that:

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

18 (2) An individual licensee that negligently violates this  
19 part three times in a five-year period shall be  
20 ineligible for the industrial hemp program, as either  
21 an individual or as a principal or member of an



1           entity, for a period of five years beginning on the  
2           date of the third violation;

3           (3) Each principal or member of an entity licensee that  
4           negligently violates this part three times in a  
5           five-year period shall be ineligible for the  
6           industrial hemp program, as either an individual or as  
7           a principal or member of an entity, for a period of  
8           five years beginning on the date of the third  
9           violation; and

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

14          **§141-H Rules.** (a) The department shall adopt rules  
15          pursuant to chapter 91 for the purposes of this part, which, at  
16          a minimum, shall include:

17          (1) Annual inspection of a random sample of producers of  
18          industrial hemp during growth or after harvest to  
19          determine tetrahydrocannabinol levels;

20          (2) Reporting requirements; provided that pre-planting  
21          reporting shall not be required;



1 (3) Assessment and collection of fees for inspections and  
2 the sampling and testing of industrial hemp;

3 (4) A procedure for the disposal of industrial hemp crop,  
4 plant, plant material, or seed, whether growing or  
5 not, found to be in violation of this part, and  
6 products derived from those plants;

7 (5) Civil penalties for any violation of this part; and

8 (6) Any other rules and procedures necessary to carry out  
9 this part.

10 (b) By October 1, 2026, the department shall adopt interim  
11 rules to effectuate the purposes of this part; provided that the  
12 interim rules shall remain in effect until July 1, 2027, or  
13 until rules are adopted pursuant to subsection (a), whichever  
14 occurs sooner.

15 **§141-I Authority to modify operations.** Notwithstanding  
16 any other provision of this part to the contrary, the board of  
17 agriculture and biosecurity may authorize the chairperson to  
18 modify the industrial hemp program to effectuate any other  
19 federal or state industrial hemp law or regulations.

20 **§141-J Industrial hemp program advisory board;**  
21 **established.** (a) There is established an industrial hemp



1 program advisory board within the department for administrative  
2 purposes to be appointed by the governor under section 26-34.

3 The advisory board shall consist of seven members, as follows:

4 (1) Three farmers, including at least one farmer who shall  
5 have demonstrated expertise in Native Hawaiian  
6 traditional and customary practices;

7 (2) One materials scientist;

8 (3) One environmental economist; and

9 (4) Two representatives from the university of Hawaii  
10 college of tropical agriculture and human resilience.

11 The members of the advisory board shall serve without  
12 compensation but shall be reimbursed for expenses, including  
13 travel expenses, actually incurred in the performance of their  
14 duties.

15 (b) The advisory board shall develop a strategic plan to  
16 establish and expand the processing infrastructure and  
17 commercialization of industrial hemp, including fiber, hurd,  
18 grain, and non-cannabinoid components. Priority shall be given  
19 to scalable and regenerative technologies that align with the  
20 State's climate and economic goals. The strategic plan shall  
21 include the following areas of support:



- 1 (1) Development of processing infrastructure;
- 2 (2) Support for value-added industrial hemp products;
- 3 (3) Standards, safety, and market readiness; and
- 4 (4) Inclusive participation and community benefit."

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

7 **"§141-14 Industrial hemp special fund; established. (a)**

8 There is created in the state treasury a special fund to be  
9 designated as the industrial hemp special fund to be  
10 administered by the department of agriculture and biosecurity.  
11 Moneys deposited in this special fund shall be used to fulfill  
12 the purposes of [~~this~~] part \_\_\_\_\_ and shall include:

- 13 (1) Any moneys appropriated by the legislature to the  
14 special fund;
- 15 (2) Any fees collected by the department of agriculture  
16 and biosecurity in relation to the industrial hemp  
17 [~~pilot~~] program; and
- 18 (3) The interest or return on investments earned from  
19 moneys in the special fund.

20 (b) The department of agriculture and biosecurity may use  
21 the moneys in the special fund to carry out the purposes of



1 [~~this part,~~] part \_\_\_\_\_, including hiring employees,  
2 specialists, and consultants necessary to complete projects  
3 related to the purposes of this part."

4 SECTION 5. There is appropriated out of the general  
5 revenues of the State of Hawaii the sum of \$ \_\_\_\_\_ or so  
6 much thereof as may be necessary for fiscal year 2026-2027 to be  
7 deposited into the industrial hemp special fund.

8 SECTION 6. There is appropriated out of the industrial  
9 hemp special fund the sum of \$ \_\_\_\_\_ or so much thereof as  
10 may be necessary for fiscal year 2026-2027 for the purposes of  
11 this part.

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

14 PART III

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

17 "**§107-25 Hawaii state building codes; requirements.** There  
18 is established the Hawaii state building codes applicable to all  
19 construction in the State of Hawaii. The Hawaii state building  
20 codes shall be based upon:



- 1           (1) The state fire code as adopted by the state fire  
2           council;
- 3           (2) The Uniform Plumbing Code, as copyrighted and  
4           published by the International Association of Plumbing  
5           and Mechanical Officials, including its appendices;
- 6           (3) The International Building Code, the International  
7           Residential Code, and the International Energy  
8           Conservation Code, as published by the International  
9           Code Council;
- 10          (4) The National Electrical Code, as published by the  
11          National Fire Protection Association;
- 12          (5) Hawaii design standards implementing the criteria  
13          pursuant to Act 5, Special Session Laws of Hawaii,  
14          2005, as applicable to:
  - 15           (A) Emergency shelters built to comply with hurricane  
16           resistant criteria, including enhanced hurricane  
17           protection areas capable of withstanding a five  
18           hundred-year hurricane event as well as other  
19           storms and natural hazards; and
  - 20           (B) Essential government facilities requiring  
21           continuity of operations; ~~and~~



1 (6) Code provisions based on nationally published codes or  
2 standards that include but are not limited to  
3 residential and hurricane resistant standards related  
4 to loss mitigation standards in accordance with  
5 section 431P-12, elevator, mechanical, flood and  
6 tsunami, existing buildings, and onsite sewage  
7 disposal[-]; and

8 (7) The 2024 International Residential Code Appendix BL  
9 for hemp-line (hempcrete) construction and code  
10 provisions for load-bearing criteria for hemp-based  
11 insulation."

12 PART IV

13 SECTION 8. By April 1, 2027, the university of Hawaii  
14 college of tropical agriculture and human resilience, in  
15 partnership with the department of agriculture and biosecurity,  
16 shall lead a coordinated research agenda focused exclusively on  
17 non-cannabinoid industrial hemp applications. Research shall  
18 support adaptation, sustainability, and economic development  
19 goals. Priority areas shall include but not be limited to:





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

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

14 (b) The department of agriculture and biosecurity may  
15 adopt rules to provide exemptions for agricultural cooperatives  
16 or organizations that utilize traditional and customary  
17 practices protected by article XII, section 7, of the Hawaii  
18 State Constitution, from the industrial hemp program established  
19 under section 141-B, Hawaii Revised Statutes, in recognition of  
20 their cultural, environmental, and community contributions.



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

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

7 PART VI

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

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

15 SECTION 14. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 15. This Act shall take effect on July 1, 2050.



**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 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. Effective 7/1/2050. (SD1)

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