

204.5 Hemp fees.

1. The department shall impose, assess, and collect the following hemp fees:

a. A license fee which shall be paid by a person being issued a hemp license as provided in [section 204.4](#).

b. An inspection fee which shall be paid by a licensee for the inspection of the licensee's crop site, including obtaining samples of plants to conduct a test, as provided in [section 204.8](#).

2. a. For each hemp license, the license fee shall be imposed on an interim basis until June 30, 2022. The amount of the license fee shall not be more than the following:

(1) Five hundred dollars plus five dollars per acre, for each crop site that is five acres or less.

(2) Seven hundred and fifty dollars, plus five dollars per acre, for each crop site that is more than five acres but not more than ten acres.

(3) One thousand dollars plus five dollars per acre, for each crop site that is more than ten acres.

b. For conducting an inspection and official test as provided in [section 204.8](#), the department shall charge an inspection fee on an interim basis until June 30, 2022, as follows:

(1) In the case of an annual inspection and official test, a base fee of not more than one thousand dollars. The department may charge a supplemental fee in an amount determined by the department for conducting an inspection and official test of any additional variety of hemp produced on the same licensed crop site.

(2) In the case of any other inspection and official test, conducted at the request of the licensee, the department shall charge a base fee or supplemental fee in the same manner as provided in subparagraph (1).

c. [This subsection](#) is repealed on July 1, 2022.

3. a. The department shall adopt rules to establish hemp fees for the issuance of a hemp license pursuant to [section 204.4](#).

b. The department shall adopt rules to establish hemp fees for conducting inspections and obtaining samples of plants to conduct tests, including but not limited to an annual inspection and official test, pursuant to [section 204.8](#).

c. The department shall calculate the rates, or a range of rates, of the hemp fees to be effective for each successive twelve-month period. The total amount of hemp fees collected by the department pursuant to [this subsection](#) shall not be more than the department's estimate of the total amount of revenues necessary to administer and enforce the provisions of [this chapter](#) based on the expected revenue collected from the hemp fees and the costs to be incurred by the department in administering and enforcing the provisions of [this chapter](#) during that period. The department may adjust the rates within the range throughout the period as the department determines necessary to comply with this paragraph.

d. The department may establish different rates for any category of hemp fees based on criteria determined relevant by the department, which may include the number of acres of the licensee's crop site and the type of hemp license issued.

e. (1) The rules shall first take effect immediately after the repeal of [subsection 2](#).

(2) This paragraph "e" is repealed immediately after the rules described in subparagraph (1) take effect.

4. The license fee and any annual inspection fee shall be collected by the department at the time the hemp license application is submitted.

5. Any hemp fee collected by the department under [this section](#) shall be deposited in the hemp fund established pursuant to [section 204.6](#).

6. The department may refund all or any part of a hemp fee collected under [this section](#) to an applicant.

[2019 Acts, ch 130, §5, 18, 19](#)

Referred to in [§204.6](#)

Implementation of section subject to approval of a state plan as described in section 204.3 by the United States department of agriculture;

2019 Acts, ch 130, §18

NEW section