

204.9 Right of access.

1. *a.* The department, including an authorized inspector, employee, or agent of the department, may enter onto a crop site during reasonable hours to determine whether a licensee is acting in compliance with the requirements under [this chapter](#). The department may also enter into any structure if all of the following apply:

(1) The structure is not a dwelling.

(2) The structure is located on or in close proximity to the licensee's crop site, and the use of such structure is directly related to the production of hemp, including but not limited to a barn, machine shed, greenhouse, or storage crib.

b. The department may require the licensee to furnish business records, including books, accounts, records, files, and any other documents in print or electronic media that the department deems relevant to an inquiry conducted under [this chapter](#).

c. The department may request the department of public safety or a local law enforcement agency accompany the department of agriculture and land stewardship when conducting an inspection.

2. *a.* The department of public safety or a local law enforcement agency may conduct an inspection of a licensee's crop site or enter into a structure located on or in close proximity to the crop site and may require a licensee to furnish business records, in the same manner and according to the same limitations as the department of agriculture and land stewardship pursuant to [subsection 1](#).

b. The department of public safety or a law enforcement agency may obtain a sample of plants that are part of the crop and provide for a test of that sample as provided in [section 204.8](#). The department of public safety or a local law enforcement agency shall not impose, assess, or collect a fee for conducting an inspection or test under [this section](#).

3. A person shall not prevent the department, the department of public safety, or a local law enforcement agency from administering and enforcing the provisions of [this section](#) by any means, including but not limited to any act, including a refusal to allow entry, misrepresentation, omission, or concealment of facts.

4. A licensee shall not harvest any portion of a crop produced at the licensee's crop site if the department, the department of public safety, or a local law enforcement agency has been prevented from accessing the site under [this section](#).

2019 Acts, ch 130, §9, 18, 19

Referred to in §204.4, 204.7, 204.8

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