

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. 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.

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

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

5. 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](#)