

## CHAPTER 204A

## IOWA HEMP ACT

Referred to in [§124.204](#), [124.401](#), [124.401G](#), [204.8](#), [317.1D](#), [453B.17](#), [453B.18](#)

For other provisions relating to hemp and hemp products, see [chapter 204](#)

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**204A.1 Short title.**

[This chapter](#) shall be known as the “*Iowa Hemp Act*”.

[2019 Acts, ch 130, §1, 18, 19](#)

[C2020, §204.1](#)

[2024 Acts, ch 1177, §45, 55](#)

[C2025, §204A.1](#)

**204A.2 Definitions.**

As used in [this chapter](#), unless the context otherwise requires:

1. “*Acceptable hemp THC level*” means the same as defined in [7 C.F.R. §990.1](#).
2. “*Cannabis*” means the same as defined in [7 C.F.R. §990.1](#).
3. “*Controlled substance*” means the same as defined in [section 124.101](#).
4. “*Delta-9 tetrahydrocannabinol*” or “*THC*” means the same as defined in [7 C.F.R. §990.1](#).
5. “*Department*” means the department of agriculture and land stewardship.
6. “*Federal hemp law*” means 7 U.S.C. §1639o, 1639q, and 1639r, together with the domestic hemp production program as provided in [7 C.F.R. pt. 990](#).
7. “*Hemp*” means the same as defined in [7 C.F.R. §990.1](#).
8. “*Local law enforcement agency*” means an office of county sheriff or a municipal police department.
9. “*Lot*” means the same as defined in [7 C.F.R. §990.1](#).
10. “*Total THC*” means the same as defined in [7 C.F.R. §990.1](#).
11. “*USDA licensee*” means the same as defined in [7 C.F.R. §990.1](#).

[2024 Acts, ch 1177, §38, 55](#)

Referred to in [§124.201A](#), [124.204](#), [204.2](#), [453B.17](#), [716.14](#)

**204A.3 Administration — rules.**

The department may adopt rules that it deems necessary to administer and enforce [this chapter](#). The rules shall comply with the federal hemp law, or requirements of the United States department of agriculture acting under the federal hemp law.

[2024 Acts, ch 1177, §39, 55](#)

**204A.4 Criminal offenses.**

A criminal offense involving hemp includes but is not limited to production, use, harvest, transportation, delivery, distribution, or sale of cannabis as a controlled substance except as otherwise provided in [this chapter](#) and [chapter 204](#).

[2024 Acts, ch 1177, §40, 55](#)

**204A.5 Hemp production.**

1. Except to the extent otherwise provided in the federal hemp law, or by the United States department of agriculture acting under the federal hemp law, [this chapter](#) does not affect the powers and duties of the state, including the department of public safety or a local law enforcement agency, to investigate or prosecute a person for a violation of a criminal offense, including an act in violation of [chapter 124](#) or [453B](#).

2. *a.* Except to the extent otherwise provided in the federal hemp law, or by the United States department of agriculture acting under the federal hemp law, the department of public

safety may require a USDA licensee to submit to the department of public safety any of the following:

(1) A notice that the United States department of agriculture's lot includes cannabis that exceeds the acceptable hemp THC level and a description of the noncompliant plant's disposal as required in [7 C.F.R. §990.27](#).

(2) A corrective action plan filed with the United States department of agriculture to cure the negligent violation as required in [7 C.F.R. §990.27](#).

(3) A notice of the United States department of agriculture's license suspension under [7 C.F.R. §990.30](#) or United States department of agriculture's license revocation under [7 C.F.R. §990.31](#).

(4) A report or record required to be submitted to the United States department of agriculture as part of participation in the domestic hemp program as provided in [7 C.F.R. §990.32](#).

b. Any data or business information designated as confidential by the United States department of agriculture under [this subsection](#) and received by a government body as defined in [section 22.1](#) shall be a confidential record under [chapter 22](#) and subject to any restrictions imposed by the United States department of agriculture.

[2024 Acts, ch 1177, §41, 55](#)

#### **204A.6 Hemp transportation.**

Except to the extent otherwise provided in the federal hemp law, including [7 C.F.R. §990.25](#), or by the United States department of agriculture acting under the federal hemp law, a person transporting hemp seed or harvested hemp in this state, on an intrastate or interstate basis, is subject to all of the following public safety requirements:

1. If the person is licensed under [7 C.F.R. ch. 990, subpt. B or C](#), the person must carry a copy of that license.

2. The person must carry a certificate of analysis.

3. The person must carry a bill of lading under all of the following circumstances:

a. The person is in possession of the hemp in transit to transfer ownership.

b. The person is delivering cannabis seed for planting and the seed is not of the licensee's own production.

c. A person brings hemp produced in another state into or through this state.

[2024 Acts, ch 1177, §42, 55](#)

#### **204A.7 Criminal offense — falsified permit or certificate.**

A person is subject to criminal penalties provided under the applicable provisions in [chapter 124](#) or [453B](#), if all of the following apply:

1. The person commits an offense under one of the applicable provisions of [chapter 124](#) or [453B](#) by possessing, handling, using, manufacturing, marketing, transporting, delivering, or distributing the plant cannabis, regardless of whether the plant was produced in compliance with the provisions of [this chapter](#).

2. The person is required to hold a certificate of analysis to possess, handle, use, manufacture, market, transport, deliver, or distribute hemp that has been harvested under [this chapter](#).

3. The person knowingly or intentionally does any of the following:

a. Falsifies a certificate of analysis.

b. Acquires a certificate of analysis that the person knows has been falsified.

[2019 Acts, ch 130, §14, 18, 19](#)

[C2020, §204.14](#)

[2020 Acts, ch 1065, §16, 19; 2020 Acts, ch 1121, §107 – 109; 2024 Acts, ch 1177, §34, 45, 55](#)

[C2025, §204A.7](#)

**204A.8 Negligent violation program.**

A USDA licensee who is participating in or has successfully completed the program for negligent violations as provided in [7 C.F.R. §990.29](#) shall not be subject to a criminal offense under chapter [124](#) or [453B](#) for committing an act that otherwise would constitute the offense.

[2019 Acts, ch 130, §15, 18, 19](#)

[C2020, §204.15](#)

[2020 Acts, ch 1063, §73; 2024 Acts, ch 1177, §35, 45, 55](#)

[C2025, §204A.8](#)

**204A.9 Statutory construction.**

1. Nothing in [this chapter](#) shall be construed or applied to be less stringent than required under the federal hemp law.

2. Nothing in [this chapter](#) shall be construed or applied to be in conflict with applicable federal law and related regulations.

3. Nothing in [this chapter](#) shall be construed or applied to infringe upon the ability of the department of public safety or a local law enforcement agency to obtain a search warrant issued by a court, or enter onto any premises in a manner consistent with the laws of this state and the United States, including Article I, section 8, of the Constitution of the State of Iowa, or the fourth amendment to the Constitution of the United States.

4. Nothing in [this chapter](#) shall be construed or applied to affect a statute or rule which applies to an article under [this chapter](#), if it would apply in the same manner as to other articles subject to the same general regulation in other chapters.

[2024 Acts, ch 1177, §43, 55](#)