

Senate File 2410

S-5169

1 Amend Senate File 2410 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 IOWA-FOALED HORSES

6 Section 1. Section 99D.22, subsection 2, paragraph b,
7 subparagraph (3), Code 2024, is amended to read as follows:

8 (3) (a) Continuous For a thoroughbred foal, continuous
9 residency from December 31 15 until the foal is inspected if
10 the mare was bred by other than an Iowa registered stallion and
11 is not bred back to an Iowa registered stallion.

12 (b) For a standardbred foal or quarter horse foal,
13 continuous residency from January 31 until the foal is
14 inspected if the mare was bred by other than an Iowa registered
15 stallion and is not bred back to an Iowa registered stallion.

16 DIVISION II

17 AGRICULTURAL MARKETING

18 Sec. 2. Section 159.20, subsection 2, Code 2024, is amended
19 to read as follows:

20 2. The department shall ~~establish and administer a~~
21 ~~choose Iowa promotional program as provided in part 2 of~~
22 ~~this subchapter, in order to provide consumers a choice in~~
23 programs that advance the purchasing food items of agricultural
24 commodities produced on Iowa farms and Iowa products that
25 originate as an agricultural commodity commodities produced on
26 Iowa farms under this title, including chapter 187.

27 Sec. 3. Section 159.20, subsection 3, unnumbered paragraph
28 1, Code 2024, is amended to read as follows:

29 As used in this subchapter section:

30 Sec. 4. Section 159.28, Code 2024, is amended to read as
31 follows:

32 **159.28 Choose Iowa promotional program.**

33 1. The department shall establish and administer a choose
34 Iowa promotional program to advertise for retail sale on a
35 ~~retail basis a food item that originates as an agricultural~~

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1 ~~commodity produced on an Iowa farm, and~~ an Iowa product that
2 may include any of the following:

3 a. An agricultural commodity produced on an Iowa farm,
4 except that it may be prepared for sale by washing or packaging
5 in this state.

6 b. ~~A product, if it is~~ An agricultural commodity processed
7 in this state ~~and any of its ingredients,~~ if its components
8 originate as an agricultural commodity produced on an Iowa
9 farm.

10 2. a. The department may adopt rules further defining an
11 Iowa farm, Iowa agricultural commodity, and Iowa product; and
12 describing how an Iowa agricultural commodity originates on an
13 Iowa farm.

14 b. The department may adopt rules providing for the
15 acceptable use of ~~ingredients originating a~~ component that
16 originates from an agricultural ~~commodities~~ commodity not
17 produced on an Iowa ~~farms~~ farm. In adopting the rules, the
18 department may consider whether the ~~ingredient~~ component is
19 an incidental ~~additive or other component that the department~~
20 ~~determines is~~ or insignificant part of an Iowa product.

21 Sec. 5. Section 159.29, subsections 1 and 5, Code 2024, are
22 amended to read as follows:

23 1. As part of the choose Iowa promotional program, the
24 department may establish a choose Iowa logo to identify a ~~food~~
25 ~~item originating as an agricultural commodity produced on an~~
26 ~~Iowa farm~~ an Iowa product.

27 5. The use of a choose Iowa logo does not do any of the
28 following:

29 a. Provide an express or implied guarantee or warranty
30 concerning the safety, fitness, merchantability, or use of a
31 ~~food item~~ product.

32 b. Supersede, revise, or replace a state or federal labeling
33 requirement, including but not limited to a provision in the
34 federal Fair Packaging and Labeling Act, 15 U.S.C. §1451 et
35 seq.

1 c. Indicate the grade, specification, standard, or value of
2 any ~~food item~~ agricultural commodity, component, or product.

3 Sec. 6. Section 159.31, subsections 1, 2, and 3, Code 2024,
4 are amended to read as follows:

5 1. A choose Iowa fund is ~~established~~ created in the state
6 treasury under the management and control of the department.

7 2. The fund shall include moneys collected as fees by
8 the department as provided in ~~section 159.30~~ 187.303, moneys
9 appropriated by the general assembly, and other moneys
10 available to and obtained or accepted by the department,
11 including moneys from public or private sources.

12 3. Moneys in the fund are appropriated to the department
13 and shall be used exclusively to ~~carry out the provisions of~~
14 ~~this part~~ administer the programs created in this subchapter
15 as determined and directed by the department, and shall not
16 require further special authorization by the general assembly.

17 Sec. 7. Section 159.31A, Code 2024, is amended to read as
18 follows:

19 **159.31A Dairy innovation fund and revitalization program.**

20 1. ~~As used in this section unless the context otherwise~~
21 ~~requires:~~

22 a. ~~"Financial assistance" means assistance provided only~~
23 ~~from the moneys and assets legally available to the department~~
24 ~~pursuant to this section and includes assistance in the form of~~
25 ~~grants, low interest loans, and forgivable loans.~~

26 b. ~~"Fund" means the dairy innovation fund.~~

27 c. ~~"Located in" means the place or places at which~~
28 ~~a business's operations are located and where at least~~
29 ~~ninety-eight percent of the business's employees work, or where~~
30 ~~employees that are paid at least ninety-eight percent of the~~
31 ~~business's payroll work.~~

32 d. ~~"Program" means the dairy innovation program.~~

33 2. a. ~~The fund is created in the state treasury under~~
34 ~~the control of the department and consists of any moneys~~
35 ~~appropriated to the fund by the general assembly and any other~~

1 moneys available to or obtained or accepted by the department
2 for placement in the fund. Moneys in the fund are appropriated
3 to the department to award financial assistance as provided
4 under the program. The department shall use any moneys
5 specifically appropriated for purposes of ~~this section~~ only for
6 the purposes of the program.

7 ~~b.~~ Notwithstanding ~~section 8.33~~, moneys in the fund
8 that remain unencumbered or unobligated at the close of the
9 fiscal year shall not revert but shall remain available for
10 expenditure for the purposes designated until the close of the
11 succeeding fiscal year.

12 1. A dairy innovation and revitalization program is created
13 within the department. The purpose of the program is to
14 promote the development, modernization, and expansion of this
15 state's dairy industry.

16 ~~3.~~ 2. The In administering the program, the department
17 shall establish and administer the program for the purpose of
18 awarding award financial assistance to eligible businesses
19 engaged in to support projects that do one or more of the
20 following:

21 a. Expand or refurbish existing milk plants or establish a
22 new milk plant, operating pursuant to a permit issued pursuant
23 to section 192.111 or 194.3A.

24 b. Expand or refurbish existing mobile dairy processing
25 units, or establish new mobile dairy processing units.

26 c. Rent buildings, refrigeration facilities, or freezer
27 facilities, or equipment necessary to expand dairy processing
28 capacity, including mobile dairy or refrigeration units used
29 exclusively for dairy processing.

30 d. Incorporate methods and technologies that reduce farm
31 labor associated with milk production and storage, including
32 but not limited to the use of robotics and processes or systems
33 that operate using computerized equipment or machinery.

34 ~~4.~~ 3. The department shall establish eligibility criteria
35 for the program by rule. The eligibility criteria must include

1 all of the following:

2 a. The business must be located in this state.

3 b. The business must not have been subject to any regulatory
4 enforcement action related to federal, state, or local
5 environmental, worker safety, food processing, or food safety
6 laws, rules, or regulations within the last five years.

7 c. The business must only employ individuals legally
8 authorized to work in this state.

9 d. The business must not currently be in bankruptcy.

10 e. The business must employ less than fifty individuals.

11 ~~5-~~ 4. A An eligible business seeking financial assistance
12 under this section shall make application to the department in
13 the manner and on forms prescribed by the department ~~by rule~~.

14 ~~6-~~ 5. Applications for financial assistance under this
15 section shall be accepted during one or more annual application
16 periods ~~to be determined~~ established by the department ~~by~~
17 ~~rule~~. Upon reviewing and scoring all applications that are
18 received during an application period, and subject to ~~funding~~
19 the availability of moneys, the department may award financial
20 assistance to eligible businesses. A financial assistance
21 award shall not exceed the amount of eligible project costs
22 included in the eligible business's application. Priority
23 shall be given to eligible businesses whose proposed project
24 or projects under subsection ~~3~~ 2 are most likely to do any
25 one or more of the following:

26 a. Create new jobs.

27 b. Create or expand opportunities for local small-scale milk
28 producers to market pasteurized milk and milk products under
29 private labels.

30 c. Provide greater flexibility or convenience for local
31 small-scale farmers to have milk processed.

32 d. Reduce labor associated with the on-farm production and
33 storage of milk.

34 ~~7-~~ 6. A An eligible business that is awarded financial
35 assistance under this section may apply for financial

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1 assistance under other programs administered by the authority
2 department.

3 ~~8. The department shall adopt rules pursuant to chapter 17A~~
4 ~~to administer this section.~~

5 Sec. 8. NEW SECTION. 187.101 **Short title.**

6 This chapter shall be known and may be cited as the "*Choose*
7 *Iowa Act*".

8 Sec. 9. NEW SECTION. 187.102 **Definitions.**

9 As used in this chapter, unless the context otherwise
10 requires:

11 1. "*Agricultural commodity*" means an animal or plant, or raw
12 material originating from an animal or plant.

13 2. "*Component*" means an agricultural commodity that is
14 combined to form a product during processing.

15 3. "*Department*" means the department of agriculture and land
16 stewardship.

17 4. "*Farm*" means land and associated structures used to
18 produce an agricultural commodity.

19 5. *a.* "*Financial assistance*" means support provided by the
20 department to an eligible business under this chapter from
21 moneys or other assets legally available to the department.

22 *b.* "*Financial assistance*" includes any form of grant,
23 low-interest loan, or forgivable loan.

24 6. "*Food item*" means an agricultural commodity, or an item
25 processed from an agricultural commodity, that is fit for human
26 consumption.

27 7. "*Fund*" means the choose Iowa fund created in section
28 187.201.

29 8. "*Horticulture item*" means any of the following:

30 *a.* A nursery, floral, or greenhouse plant.

31 *b.* A product processed from a nursery, floral, or greenhouse
32 plant, including a seed, rooting, cutting, tissue culture,
33 seedling, or other propagation material.

34 9. "*Located in*" means the place or places at which
35 a business's operations are located and where at least

1 ninety-eight percent of the business's employees work, or where
2 employees that are paid at least ninety-eight percent of the
3 business's payroll work.

4 10. "*Natural fiber item*" means fiber originating from
5 an agricultural commodity for use in processing, including
6 manufacturing into a textile, apparel, or other similar
7 product.

8 11. "*Process*" means to prepare a product that includes an
9 agricultural commodity alone or as a component.

10 12. *a.* "*Product*" means an agricultural commodity that
11 in its raw or processed state is moveable at the time of its
12 retail sale.

13 *b.* "*Product*" includes but is not limited to a food item,
14 horticulture item, or natural fiber item.

15 Sec. 10. NEW SECTION. 187.103 **Administration.**

16 The department shall adopt all rules under chapter 17A as it
17 determines necessary or desirable to administer this chapter.

18 Sec. 11. NEW SECTION. 187.321 **Value-added agricultural**
19 **grant program.**

20 A value-added agricultural grant program is created within
21 the department. The purpose of the program is to identify,
22 evaluate, and support projects and services that add value to
23 agricultural commodities produced on Iowa farms, including by
24 supporting new technologies and marketing strategies.

25 Sec. 12. REPEAL. Sections 159.26 and 159.27, Code 2024,
26 are repealed.

27 Sec. 13. TRANSFER OF MONEYS.

28 1. Not later than June 30, 2024, the balance of the dairy
29 innovation fund created in section 159.31A shall be transferred
30 to the choose Iowa fund created in section 159.31.

31 2. Not later than June 30, 2024, any moneys appropriated
32 to the department of agriculture and land stewardship that the
33 department has not expended as required to support a value
34 added agriculture grant program shall be transferred to the
35 choose Iowa fund, including moneys appropriated in 2022 Iowa

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1 Acts, chapter 1147, section 12, and 2023 Iowa Acts, chapter
2 109, section 4, subsection 9.

3 Sec. 14. CODE EDITOR DIRECTIVE.

4 1. The Code editor is directed to make the following
5 transfers:

- 6 a. Section 159.28 to 187.301.
- 7 b. Section 159.29 to 187.302.
- 8 c. Section 159.30 to 187.303.
- 9 d. Section 159.31 to 187.201.
- 10 e. Section 159.31A to 187.311.

11 2. The Code editor shall correct internal references in the
12 Code and in any enacted legislation as necessary due to the
13 enactment of this section.

14 Sec. 15. DIRECTIONS TO CODE EDITOR — SUBCHAPTERS AND
15 PARTS. The Code editor is directed to divide the provisions
16 of chapter 187, as amended, enacted, or transferred in this
17 division of this Act, into subchapters and parts as follows:

18 1. Subchapter I, including sections 187.101 through
19 187.103.

20 2. Subchapter II, including section 187.201.

21 3. Subchapter III, as follows:

22 a. Part 1, including sections 187.301 through 187.303.

23 b. Part 2, including section 187.311.

24 c. Part 3, including section 187.321.

25 Sec. 16. EFFECTIVE DATE.

26 1. Except as provided in subsection 2, this division of this
27 Act takes effect July 1, 2024.

28 2. The following section of this division of this Act, being
29 deemed of immediate importance, takes effect upon enactment:

30 The section that provides for the transfer of moneys to the
31 choose Iowa fund.

32 DIVISION III

33 COMMERCIAL ESTABLISHMENTS

34 Sec. 17. Section 162.2, subsection 8, Code 2024, is amended
35 to read as follows:

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1 8. "Commercial breeder" means a person, engaged in the
2 business of breeding dogs or cats, who sells, exchanges, or
3 leases dogs or cats in return for consideration, or who offers
4 to do so, whether or not the animals are raised, trained,
5 groomed, or boarded by the person. A person who owns or
6 harbors three or fewer breeding males or females is not a
7 commercial breeder. ~~However, a person who breeds any number~~
8 ~~of breeding male or female greyhounds for the purposes of~~
9 ~~using them for pari-mutuel wagering at a racetrack as provided~~
10 ~~in chapter 99D shall be considered a commercial breeder~~
11 ~~irrespective of whether the person sells, leases, or exchanges~~
12 ~~the greyhounds for consideration or offers to do so.~~

13 Sec. 18. Section 162.2B, subsection 1, paragraph b, Code
14 2024, is amended to read as follows:

15 b. For the issuance or renewal of a state license or permit,
16 one hundred seventy-five dollars. ~~However, a commercial~~
17 ~~breeder who owns, keeps, breeds, or transports a greyhound dog~~
18 ~~for pari-mutuel wagering at a racetrack as provided in chapter~~
19 ~~99D shall pay a different fee for the issuance or renewal of a~~
20 ~~state license as provided in rules adopted by the department.~~

21 Sec. 19. Section 162.10A, subsection 2, Code 2024, is
22 amended to read as follows:

23 2. a. Except as provided in paragraph "b" or "e", a
24 commercial establishment shall comply with rules that the
25 department adopts to implement subsection 1. A commercial
26 establishment shall be regulated under this paragraph "a"
27 unless the person is a state licensee as provided in paragraph
28 "b" or a permittee as provided in paragraph "e" "b".

29 ~~b. A state licensee who is a commercial breeder owning,~~
30 ~~breeding, transporting, or keeping a greyhound dog for~~
31 ~~pari-mutuel wagering at a racetrack as provided in chapter 99D~~
32 ~~may be required to comply with different rules adopted by the~~
33 ~~department.~~

34 ~~e. b.~~ A permittee is not required to comply with rules
35 that the department adopts to implement a standard of care as

1 provided in subsection 1 for state licensees and registrants.
2 The department may adopt rules regulating a standard of care
3 for a permittee, so long as the rules are not more restrictive
4 than required for a permittee under the Animal Welfare Act.
5 However, the department may adopt prescriptive rules relating
6 to the standard of care. Regardless of whether the department
7 adopts such rules, a permittee meets the standard of care
8 required in subsection 1 if it voluntarily complies with rules
9 applicable to state licensees or registrants. A finding by
10 the United States department of agriculture that a permittee
11 complies with the Animal Welfare Act is not conclusive when
12 determining that the permittee provides a standard of care
13 required in subsection 1.

14 Sec. 20. Section 717B.3, subsection 2, paragraph a,
15 subparagraph (2), subparagraph divisions (a) and (b), Code
16 2024, are amended to read as follows:

17 (a) A state licensee or registrant operating pursuant to
18 section 162.10A, subsection 2, paragraph "a" or "b".

19 (b) A permittee operating pursuant to section 162.10A,
20 subsection 2, paragraph "c" "b".

21 DIVISION IV

22 GRADE "A" MILK

23 Sec. 21. Section 192.101A, Code 2024, is amended by adding
24 the following new subsections:

25 NEW SUBSECTION. 1A. "Department" means the department of
26 agriculture and land stewardship.

27 NEW SUBSECTION. 5. "Secretary" means the secretary of
28 agriculture.

29 Sec. 22. Section 192.109, Code 2024, is amended to read as
30 follows:

31 **192.109 Certification of grade "A" label.**

32 The department of agriculture and land stewardship shall
33 annually biennially conduct a survey and based on that survey
34 certify all milk labeled grade "A" pasteurized and grade "A"
35 raw milk for pasteurization, and, in. In the event that a

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1 survey shows the requirements for production, processing, and
2 distribution for such grade are not being complied with, ~~the~~
3 that fact thereof shall be certified by the department to the
4 secretary ~~of agriculture~~ who shall proceed with the provisions
5 of [section 192.107](#) for suspending the permit of the violator or
6 who, if the secretary did not issue such permit, shall withdraw
7 the grade "A" declared on the label.

8 Sec. 23. Section 192.111, subsection 1, paragraph a,
9 subparagraph (5), Code 2024, is amended to read as follows:

10 (5) A milk grader which must obtain a milk grader permit and
11 pay a license permit fee not greater than twenty dollars.

12 Sec. 24. Section 192.116, Code 2024, is amended to read as
13 follows:

14 **192.116 Bacteriologists.**

15 The department ~~of agriculture and land stewardship~~ may
16 employ dairy specialists or bacteriologists who shall devote
17 their full time to the improvement of sanitation in the
18 production, processing, and marketing of dairy products.
19 ~~Said~~ The dairy specialists and bacteriologists shall have
20 qualifications as to education and experience and such other
21 requirements as the secretary may require.

22 Sec. 25. Section 192.118, subsection 1, Code 2024, is
23 amended to read as follows:

24 1. To ensure uniformity in the tests and reporting, an
25 employee certified by the United States public health service
26 of the bacteriological laboratory of the department shall
27 annually certify, in accordance with rules adopted by the
28 department incorporating or incorporating by reference the
29 federal publication entitled "Evaluation of Milk Laboratories",
30 all laboratories doing work in the sanitary quality of
31 milk and dairy products for public report. The approval by
32 the department shall be based on the evaluation of these
33 laboratories as to personnel training, laboratory methods
34 used, and reporting. The results on tests made by approved
35 laboratories shall be reported to the department on request,

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1 on forms prescribed by the secretary of ~~agriculture~~, and such
2 reports may be used by the department.

3 DIVISION V

4 FERTILIZERS AND SOIL CONDITIONERS

5 Sec. 26. Section 200.3, subsection 29, Code 2024, is amended
6 to read as follows:

7 29. The term "*unmanipulated manures*" means any substances
8 composed primarily of excreta, plant remains, or mixtures of
9 such substances which have not been processed in any manner
10 other than dewatering.

11 Sec. 27. EFFECTIVE DATE. This division of this Act, being
12 deemed of immediate importance, takes effect upon enactment.

13 DIVISION VI

14 HEMP

15 PART A

16 HEMP REGULATIONS

17 Sec. 28. Section 204.2, subsections 1, 4, 5, 10, 12, 14, 15,
18 and 16, Code 2024, are amended by striking the subsections.

19 Sec. 29. Section 204.2, subsection 6, Code 2024, is amended
20 by striking the subsection and inserting in lieu thereof the
21 following:

22 6. "*Department of health and human services*" or "*department*"
23 means the principal central department established in section
24 7E.5, subsection 1, paragraph "i".

25 Sec. 30. Section 204.2, subsection 9, Code 2024, is amended
26 by striking the subsection and inserting in lieu thereof the
27 following:

28 9. "*Hemp*" means the same as defined in section 204A.2.

29 Sec. 31. Section 204.7, subsections 1, 2, 3, 4, 5, 6, and 7,
30 Code 2024, are amended by striking the subsections.

31 Sec. 32. Section 204.8, Code 2024, is amended by striking
32 the section and inserting in lieu thereof the following:

33 **204.8 Hemp — testing requirements and certificate of**
34 **analysis.**

35 For purposes of this chapter, requirements for testing hemp

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1 and the issuance of a certificate of analysis for hemp are
2 governed by chapter 204A.

3 Sec. 33. Section 204.12, subsection 2, Code 2024, is amended
4 by striking the subsection.

5 Sec. 34. Section 204.14, subsections 2 and 3, Code 2024, are
6 amended to read as follows:

7 2. ~~a. Except as provided in paragraph "b",~~ The person
8 is required to hold a certificate of analysis to possess,
9 handle, use, manufacture, market, transport, deliver, or
10 distribute hemp that has been harvested under this chapter.

11 ~~b. The person is required to hold a temporary harvest and~~
12 ~~transportation permit to possess, harvest, or move hemp.~~

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

15 a. ~~Falsifies the temporary harvest and transportation permit~~
16 ~~or a~~ certificate of analysis.

17 b. ~~Acquires the temporary harvest and transportation permit~~
18 ~~or a~~ certificate of analysis that the person knows has been
19 falsified.

20 Sec. 35. Section 204.15, Code 2024, is amended by striking
21 the section and inserting in lieu thereof the following:

22 **204.15 Negligent violation program.**

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

28 Sec. 36. Section 204.17, subsection 1, Code 2024, is amended
29 by striking the subsection.

30 Sec. 37. Section 204.17, subsection 6, Code 2024, is amended
31 by striking the subsection and inserting in lieu thereof the
32 following:

33 6. Nothing in this chapter shall be construed or applied
34 to affect a statute or rule which applies to an article under
35 this chapter, if it would apply in the same manner as to other

1 articles subject to the same general regulation in other
2 chapters.

3 Sec. 38. NEW SECTION. **204A.2 Definitions.**

4 As used in this chapter, unless the context otherwise
5 requires:

- 6 1. "*Acceptable hemp THC level*" means the same as defined in
7 7 C.F.R. §990.1.
- 8 2. "*Cannabis*" means the same as defined in 7 C.F.R. §990.1.
- 9 3. "*Controlled substance*" means the same as defined in
10 section 124.101.
- 11 4. "*Delta-9 tetrahydrocannabinol*" or "*THC*" means the same as
12 defined in 7 C.F.R. §990.1.
- 13 5. "*Department*" means the department of agriculture and land
14 stewardship.
- 15 6. "*Federal hemp law*" means 7 U.S.C. §1639o, 1639q, and
16 1639r, together with the domestic hemp production program as
17 provided in 7 C.F.R. pt. 990.
- 18 7. "*Hemp*" means the same as defined in 7 C.F.R. §990.1.
- 19 8. "*Local law enforcement agency*" means an office of county
20 sheriff or a municipal police department.
- 21 9. "*Lot*" means the same as defined in 7 C.F.R. §990.1.
- 22 10. "*Total THC*" means the same as defined in 7 C.F.R.
23 §990.1.
- 24 11. "*USDA licensee*" means the same as defined in 7 C.F.R.
25 §990.1.

26 Sec. 39. NEW SECTION. **204A.3 Administration — rules.**

27 The department may adopt rules that it deems necessary to
28 administer and enforce this chapter. The rules shall comply
29 with the federal hemp law, or requirements of the United States
30 department of agriculture acting under the federal hemp law.

31 Sec. 40. NEW SECTION. **204A.4 Criminal offenses.**

32 A criminal offense involving hemp includes but is not
33 limited to production, use, harvest, transportation, delivery,
34 distribution, or sale of cannabis as a controlled substance
35 except as otherwise provided in this chapter and chapter 204.

1 Sec. 41. NEW SECTION. **204A.5 Hemp production.**

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

9 2. *a.* Except to the extent otherwise provided in the
10 federal hemp law, or by the United States department of
11 agriculture acting under the federal hemp law, the department
12 of public safety may require a USDA licensee to submit to the
13 department of public safety any of the following:

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

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

21 (3) A notice of the United States department of
22 agriculture's license suspension under 7 C.F.R. §990.30 or
23 United States department of agriculture's license revocation
24 under 7 C.F.R. §990.31.

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

29 *b.* Any data or business information designated as
30 confidential by the United States department of agriculture
31 under this subsection and received by a government body as
32 defined in section 22.1 shall be a confidential record under
33 chapter 22 and subject to any restrictions imposed by the
34 United States department of agriculture.

35 Sec. 42. NEW SECTION. **204A.6 Hemp transportation.**

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

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

9 2. The person must carry a certificate of analysis.

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

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

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

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

18 Sec. 43. NEW SECTION. 204A.9 Statutory construction.

19 1. Nothing in this chapter shall be construed or applied to
20 be less stringent than required under the federal hemp law.

21 2. Nothing in this chapter shall be construed or applied
22 to be in conflict with applicable federal law and related
23 regulations.

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

32 4. Nothing in this chapter shall be construed or applied
33 to affect a statute or rule which applies to an article under
34 this chapter, if it would apply in the same manner as to other
35 articles subject to the same general regulation in other

1 chapters.

2 Sec. 44. REPEAL. Sections 204.3, 204.4, 204.5, 204.6,
3 204.9, 204.10, 204.11, 204.13, and 204.16, Code 2024, are
4 repealed.

5 Sec. 45. CODE EDITOR DIRECTIVE.

6 1. The Code editor is directed to make the following
7 transfers:

8 a. Section 204.1 to section 204A.1.

9 b. Section 204.14 to section 204A.7.

10 c. Section 204.15 to section 204A.8.

11 2. The Code editor shall correct internal references in the
12 Code and in any enacted legislation as necessary due to the
13 enactment of this section.

14 PART B

15 CORRESPONDING CHANGES

16 Sec. 46. Section 124.201A, subsection 4, Code 2024, is
17 amended to read as follows:

18 4. Any cannabis-derived investigational product or
19 cannabis-derived product approved as a prescription drug
20 medication by the United States food and drug administration
21 shall not be considered marijuana or cannabimimetic agents,
22 both as defined in [section 124.204](#), tetrahydrocannabinols
23 as used in [section 124.204, subsection 4](#), paragraph "u",
24 unnumbered paragraph 1, or hemp as defined in section ~~204.2~~
25 204A.2.

26 Sec. 47. Section 124.204, subsection 7, paragraph a, Code
27 2024, is amended to read as follows:

28 a. Hemp as defined in section ~~204.2~~ 204A.2, including hemp
29 that is or was produced in this state, or was produced in
30 another state, in accordance with the provisions of ~~chapter 204~~
31 the federal hemp law as defined in chapter 204A, with a maximum
32 delta-9 tetrahydrocannabinol concentration that does not exceed
33 three-tenths of one percent on a dry weight basis.

34 Sec. 48. Section 124.401, subsection 6, paragraph a, Code
35 2024, is amended by striking the paragraph and inserting in

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(amending this SF 2410 to CONFORM to HF 2641)

1 lieu thereof the following:

2 a. Hemp that is hemp seed, including hemp seed delivered
3 for planting at a lot by a USDA licensee or hemp that is or was
4 produced at a lot by a USDA licensee, in accordance with the
5 provisions of the federal hemp law, as those terms are defined
6 in chapter 204A.

7 Sec. 49. Section 124.401G, Code 2024, is amended by striking
8 the section and inserting in lieu thereof the following:

9 **124.401G Iowa hemp Act — negligent violation program.**

10 Notwithstanding any provision of this chapter to the
11 contrary, a person shall not be guilty of an offense under
12 this chapter, including under section 124.401 or 124.410,
13 for producing, possessing, using, harvesting, handling,
14 manufacturing, marketing, transporting, delivering, or
15 distributing the plant cannabis, to the extent that the person
16 is a USDA licensee acting in accordance with the federal hemp
17 law, as those terms are defined in chapter 204A.

18 Sec. 50. Section 124.506, subsection 5, Code 2024, is
19 amended by striking the subsection.

20 Sec. 51. Section 317.1D, Code 2024, is amended to read as
21 follows:

22 **317.1D Exemption — Iowa hemp Act.**

23 This chapter does not apply to a plant or any part of the
24 plant qualifying as hemp, if the hemp is produced ~~on a crop~~
25 ~~site regulated under~~ chapter 204 on the USDA licensee's lot
26 in accordance with the federal hemp law, as those terms are
27 defined in chapter 204A.

28 Sec. 52. Section 453B.17, subsection 1, Code 2024, is
29 amended by striking the subsection and inserting in lieu
30 thereof the following:

31 1. Hemp as defined in section 204A.2, including hemp seed
32 delivered for planting at a lot by a USDA licensee or hemp that
33 is or was produced at a lot by a USDA licensee, in accordance
34 with the provisions of the federal hemp law, as those terms are
35 defined in chapter 204A.

1 Sec. 53. Section 453B.18, Code 2024, is amended by striking
2 the section and inserting in lieu thereof the following:

3 **453B.18 Exemption — Iowa hemp Act — negligent violation**
4 **program.**

5 Notwithstanding any provision of this chapter to the
6 contrary, a person shall not be guilty of an offense under this
7 chapter for producing or possessing the plant cannabis, to the
8 extent that the person is a USDA licensee acting in accordance
9 with the federal hemp law, as those terms are defined in
10 chapter 204A.

11 Sec. 54. Section 716.14, subsection 1, paragraph b, Code
12 2024, is amended to read as follows:

13 *b. "Agricultural crop" means a plant produced for food,*
14 *animal feed, fiber, oil, or fuel if the plant is classified*
15 *as a forage or cereal plant, including but not limited to*
16 *alfalfa, barley, buckwheat, corn, flax, forage, hemp as defined*
17 *in [section 204.2](#) [204A.2](#), millet, oats, popcorn, rye, sorghum,*
18 *soybeans, sunflowers, wheat, and grasses used for forage or*
19 *silage. A plant which is a noxious weed pursuant to section*
20 *317.1A shall not be considered an agricultural crop unless the*
21 *plant is produced as a research crop.*

22 **PART C**

23 **EFFECTIVE DATE**

24 Sec. 55. EFFECTIVE DATE. This division of this Act takes
25 effect December 31, 2024.>

26 2. Title page, by striking lines 1 through 3 and
27 inserting <An Act relating to agriculture, by providing
28 for the administration of programs and regulations, making
29 appropriations, providing penalties, and including effective
30 date provisions.>

TOM SHIPLEY