

House File 2105 - Introduced

HOUSE FILE 2105

BY SHIPLEY

A BILL FOR

1 An Act eliminating acreage limitations for the production of
2 hemp, and including effective date provisions.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 204.2, subsection 3, Code 2020, is
2 amended to read as follows:

3 3. "*Crop site*" or "*site*" means a single contiguous parcel
4 of agricultural land suitable for the planting, growing, or
5 harvesting of hemp, ~~if the parcel does not exceed forty acres.~~

6 Sec. 2. Section 204.4, subsection 6, Code 2020, is amended
7 to read as follows:

8 6. A person may hold any number of licenses at the same
9 time. ~~However, the person shall not hold a legal or equitable
10 interest in a licensed crop site, if the total number of acres
11 of all licensed crop sites in which the person holds all such
12 interests equals more than forty acres.~~

13 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
14 importance, takes effect upon enactment.

15

EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 HEMP PRODUCTION — ACREAGE LIMITATION. This bill amends
19 Code chapter 204, the Iowa hemp Act (IHA) (Code section 204.1),
20 which in part requires the department of agriculture and land
21 stewardship (DALS) to regulate the production of hemp. Hemp is
22 defined as a species of cannabis (*sativa* L.) having a maximum
23 concentration of delta-9 tetrahydrocannabinol that does not
24 exceed three-tenths of 1 percent (Code section 204.2). DALS
25 is required to establish and administer a process to issue
26 and renew one-year hemp licenses to qualified producers (Code
27 section 204.4). DALS may issue any number of licenses to a
28 qualified producer so long as all licensed crop sites do not
29 exceed a total of 40 acres. The bill eliminates the 40-acre
30 limitation.

31 BACKGROUND. The IHA must comply with the relevant
32 provisions of the federal Agriculture Improvement Act of 2018,
33 Pub. L. No. 115-334, that allows states and tribes to assume
34 primary regulatory authority over the production of hemp by
35 submitting a plan for approval by the United States department

1 of agriculture (USDA). DALS is required to prepare the state
2 plan, any amended state plan, or amendment to an approved
3 state plan, by adopting rules pursuant to Code chapter 17A
4 (Code section 204.3). The USDA has published interim rules to
5 implement the federal legislation (7 C.F.R. pt. 990). The USDA
6 has neither approved nor disapproved Iowa's state plan.
7 EFFECTIVE DATE. The bill takes effect upon enactment.