

**House File 2432 - Introduced**

HOUSE FILE 2432

BY JUDGE

**A BILL FOR**

1 An Act relating to the manufacture, sale, and consumption  
2 of certain products containing hemp, making penalties  
3 applicable, and including effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 204.2, Code 2020, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 01. "*Consumable hemp product*" means a  
4 hemp product that includes a substance that is metabolized  
5 or is otherwise subject to a biotransformative process when  
6 introduced into a human or animal body.

7 a. A consumable hemp product may be introduced into a  
8 human or animal body by ingestion or absorption by any device  
9 including but not limited to an electronic device.

10 b. A consumable hemp product may exist in a solid or liquid  
11 state.

12 c. A hemp product is deemed to be a consumable hemp product  
13 if it is any of the following:

14 (1) Designed by the processor, including the manufacturer,  
15 to be introduced into a human or animal body.

16 (2) Advertised as an item to be introduced into a human or  
17 animal body.

18 (3) Distributed, exported, or imported for sale or  
19 distribution to be introduced into a human or animal body.

20 d. "*Consumable hemp product*" includes but is not limited to  
21 any of the following:

22 (1) A noncombustible form of hemp that may be digested,  
23 such as food; internally absorbed, such as chew or snuff; or  
24 absorbed through the skin, such as a topical application.

25 (2) Hemp processed or otherwise manufactured, marketed,  
26 sold, or distributed as human or animal food, a human or animal  
27 food additive, a human or animal dietary supplement, or a human  
28 or animal drug.

29 Sec. 2. Section 204.7, subsection 9, paragraph a, Code 2020,  
30 is amended to read as follows:

31 a. A Except as provided in subsection 10, a person may  
32 engage in the retail sale of a hemp product if the hemp was  
33 produced in this state or another state in compliance with the  
34 federal hemp law or other applicable federal law. A person may  
35 engage in the retail sale of a hemp product if the hemp was

1 produced in another jurisdiction in compliance with applicable  
2 federal law and the laws of the other jurisdiction, if such law  
3 is substantially the same as applicable federal law.

4 Sec. 3. Section 204.7, subsection 9, paragraph b, Code 2020,  
5 is amended by striking the paragraph.

6 Sec. 4. Section 204.7, Code 2020, is amended by adding the  
7 following new subsection:

8 NEW SUBSECTION. 10. *a.* Except as provided in paragraph  
9 "e", a consumable hemp product shall not be manufactured,  
10 sold, or consumed in this state unless all of the following  
11 conditions are met:

12 (1) The consumable hemp product is manufactured in this  
13 state in compliance with this chapter.

14 (2) The hemp contained in the consumable hemp product was  
15 produced exclusively in this state in compliance with this  
16 chapter.

17 (3) The consumable hemp product complies with packaging  
18 and labeling requirements, which shall be established by the  
19 department of inspections and appeals by rule.

20 *b.* A person manufacturing a consumable hemp product in this  
21 state shall register with the department on a form prescribed  
22 by the department by rule. The department may impose a  
23 fee on a registrant not to exceed the cost of processing  
24 the registration. The department shall adopt rules for the  
25 revocation of a registration issued to a manufacturer who  
26 manufactures a consumable hemp product not in compliance with  
27 this chapter.

28 *c.* A person selling a consumable hemp product in this state  
29 shall register with the department of inspections and appeals  
30 on a form prescribed by the department of inspections and  
31 appeals by rule. The department of inspections and appeals  
32 may impose a fee on a registrant not to exceed the cost of  
33 processing the registration. The department of inspections and  
34 appeals shall adopt rules for the revocation of a registration  
35 issued to a person who sells a consumable hemp product not in

1 compliance with this section.

2 *d.* Except as otherwise provided in this subsection,  
3 a political subdivision of the state shall not adopt any  
4 ordinance, rule, or regulation regarding the manufacture, sale,  
5 or consumption of a consumable hemp product.

6 *e.* A consumable hemp product manufactured in another  
7 state pursuant to a state plan approved by the United States  
8 secretary of agriculture may be imported for use by a consumer  
9 if the state has substantially similar testing requirements as  
10 those provided in section 204.8.

11 *f.* A consumable hemp product manufactured, sold, or  
12 consumed in compliance with this subsection is not a controlled  
13 substance under chapter 124 or 453B regardless of whether the  
14 consumable hemp product has been approved by the United States  
15 food and drug administration.

16 Sec. 5. Section 204.17, subsection 2, paragraph c, Code  
17 2020, is amended to read as follows:

18 *c.* Local law relating to product development, product  
19 manufacturing, consumer safety, or public health so long as the  
20 local law is consistent with federal and state law, except as  
21 provided in section 204.7, subsection 10.

22 Sec. 6. CONTINGENT EFFECTIVE DATE.

23 1. Except as provided in subsection 2, this Act takes effect  
24 on the date that chapter 204 is implemented as provided in 2019  
25 Iowa Acts, chapter 130, section 18, subsection 1.

26 2. a. If the department of agriculture and land  
27 stewardship, in cooperation with the department of public  
28 safety, determines that the United States department of  
29 agriculture must approve any amendment to an existing provision  
30 or new provision enacted in this Act as part of a state plan  
31 pursuant to section 204.3, the secretary of agriculture shall  
32 publish a notice of that fact in the Iowa administrative  
33 bulletin. The department of agriculture and land stewardship  
34 shall forward a copy of the statement to the Code editor prior  
35 to publication.



1 land stewardship, which may impose a fee to recoup the cost of  
2 registration. A person selling consumable hemp products must  
3 register with the department of inspections of appeals, which  
4 may also impose a fee to recoup the cost of registration.

5 The bill prohibits political subdivisions of the state  
6 from adopting any ordinance, rule, or regulation regarding  
7 the manufacture, sale, or consumption of a consumable hemp  
8 product, and exempts consumable hemp products that comply with  
9 the provisions of the bill from classification as a controlled  
10 substance.

11 The bill takes effect on the implementation date of Code  
12 chapter 204, unless the department of agriculture and land  
13 stewardship, acting in coordination with the department of  
14 public safety, determines that the provisions must be submitted  
15 to the United State department of agriculture for approval.  
16 In that case, the provisions take effect when the department  
17 of agriculture and land stewardship publishes a notice of the  
18 United States department of agriculture's approval in the Iowa  
19 administrative bulletin.

20 Violations of Code chapter 204 are punishable by civil  
21 penalties under Code section 204.12 and subject to injunctive  
22 relief under Code section 204.13.