

204.3 State plan — implementing rules.

1. The department shall prepare a state plan to be submitted to the United States secretary of agriculture under the federal hemp law.

2. Upon approval of the state plan, the department shall assume primary regulatory authority over the production of hemp in this state as provided in [this chapter](#). However, nothing in [this chapter](#) affects the powers and duties of the department of public safety or local law enforcement agencies from enforcing any law within its purview or jurisdiction. The department of public safety shall be the chief criminal enforcement agency under [this chapter](#).

3. The department may prepare any number of amended state plans or any number of amendments to an existing state plan to be submitted for approval by the United States secretary of agriculture.

4. The department may provide for the receipt, filing, processing, and return of documents described in [this chapter](#) in an electronic format, including but not limited to the transmission of documents by the internet. The department shall provide for the authentication of official forms in an electronic format that may include electronic signatures as provided in [chapter 554D](#). An official form in an electronic format shall have the same validity and is discoverable and admissible in evidence if given under penalty of perjury in the same manner as an original printed form. The department shall provide for the issuance of certificates of analysis in an electronic format as provided in [section 204.8](#).

5. *a.* The department shall prepare the state plan, any amended state plan, or amendment to an approved state plan, by adopting rules pursuant to [chapter 17A](#).

b. The department may adopt the rules on an emergency basis as provided in [section 17A.4, subsection 3](#), and [section 17A.5, subsection 2](#), and the rules shall be effective immediately upon filing unless a later date is specified in the rules.

2019 Acts, ch 130, §3, 18, 19; 2020 Acts, ch 1065, §4, 19; 2020 Acts, ch 1121, §107 – 109