

204.4 Hemp license — requirements.

1. The department shall establish and administer a process to receive, evaluate, and approve or disapprove applications for a hemp license.

2. The department shall prepare and publish one or more hemp license application forms in cooperation with the department of public safety. A completed application form submitted to the department shall contain all of the following:

a. The applicant's full name and residence address.

b. A legal description and map of each crop site where the applicant proposes to produce the hemp including its global positioning system location.

c. The number of crop acres to be used for hemp production.

d. The name of the hemp variety.

e. The results of a national criminal history record check of an applicant as may be required by the department. The department shall inform an applicant if a national criminal history record check will be conducted. If a national criminal history record check is conducted, the applicant shall provide the applicant's fingerprints to the department. The department shall provide the fingerprints to the department of public safety for submission through the state criminal history repository to the federal bureau of investigation. The applicant shall pay the actual cost of conducting any national criminal history record check to the department of agriculture and land stewardship. The department shall pay the actual cost of conducting the national criminal history record check to the department of public safety from moneys deposited in the hemp fund pursuant to [section 204.6](#). The department of public safety shall treat such payments as repayment receipts as defined in [section 8.2](#). The results of the national criminal history check shall not be considered a public record under [chapter 22](#).

f. Any other information required in order to administer and enforce the provisions of [this chapter](#).

3. As a condition for the issuance of a hemp license, the licensee consents to the department, the department of public safety, or a local law enforcement agency entering upon a crop site as provided in [section 204.9](#).

4. The department may do all of the following:

a. Require that all or some licenses expire on the same date.

b. Provide a different application form and requirements relating to the submission, evaluation, and approval or disapproval of an application for a renewed hemp license consistent with federal law.

5. An applicant shall not be issued a hemp license unless the applicant agrees to comply with all terms and conditions relating to the regulation of a licensee as provided in [this chapter](#).

6. A person may hold any number of licenses at the same time. However, the person shall not hold a legal or equitable interest in a licensed crop site, if the total number of acres of all licensed crop sites in which the person holds any such interest equals more than three hundred twenty acres.

7. An initial hemp license expires one year from the date of issuance and may be issued on a renewal basis annually. The department may require that a licensee apply for an amended or new initial license if information contained in the existing application is no longer accurate or is incomplete.

8. The department and the department of public safety shall cooperate to develop procedures for the sharing of information regarding applicants, including information required to be completed on application forms. Upon request, the department or the department of public safety shall provide information regarding an applicant to a department of agriculture or law enforcement agency in another state.

9. Information received on an application form shall be maintained by the department for not less than three years.

10. The department shall disapprove the application of a person for good cause, which shall include, but is not limited to, any of the following:

a. A conviction for committing a criminal offense involving a controlled substance as described in [section 204.7](#).

b. A third violation of a provision of [this chapter](#) in a five-year period. The department shall disapprove any application of a person for a five-year period following the date of the person's last violation in the same manner as provided in [section 204.15](#).

c. The revocation of a hemp license under [section 204.11](#), or the revocation of a license, permit, registration, or other authorization to produce hemp in any other state.

11. A hemp license shall be suspended or revoked as provided in [section 204.11](#).

[2019 Acts, ch 130, §4, 18, 19; 2022 Acts, ch 1030, §2, 3](#)

Referred to in [§204.2, 204.5, 204.7, 204.11, 204.15](#)

Subsection 6 amended