

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2975 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Josh West

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2975

By: West (Josh)

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8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to agriculture; creating the Oklahoma
10 Industrial Hemp Remediation Program; making the
11 Program applicable to persons remediating hemp;
12 defining terms; declaring certain concentration to be
13 deemed a compliant hemp product; requiring certain
14 hemp products be destroyed; requiring certain
15 notification; providing for codification; and
16 providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 3-601 of Title 2, unless there
20 is created a duplication in numbering, reads as follows:

21 A. This act shall be known and may be cited as the "Oklahoma
22 Industrial Hemp Remediation Program".

23 B. As used in the Oklahoma Industrial Hemp Remediation Program,
24 the following words and terms, and any derivative of such words or

1 terms, shall have the following meanings, unless the context clearly
2 indicates otherwise:

3 1. "Cannabis" means a genus of flowering plants in the family
4 Cannabaceae of which Cannabis sativa is a species, and Cannabis
5 indica and Cannabis ruderalis are subspecies thereof. Cannabis
6 refers to any form of the plant in which the delta-9
7 tetrahydrocannabinol concentration on a dry-weight basis has not yet
8 been determined.

9 2. "Certified laboratory" means the laboratory operated by the
10 Department of Agriculture, Food, and Forestry or a laboratory
11 located in Oklahoma that is certified by the Department.

12 3. "Commercial sale" means the sale of a product in the stream
13 of commerce at retail, at wholesale or on the Internet.

14 4. "CSA" means the federal Controlled Substances Act.

15 5. "DEA" means the United States Drug Enforcement
16 Administration.

17 6. "Department" means the Oklahoma Department of Agriculture,
18 Food, and Forestry.

19 7. "Hemp" means the plant Cannabis sativa L. and any part of
20 such plant including, but not limited to, the seeds and all
21 derivatives, extracts, cannabinoids, isomers, acids, salts and salts
22 of isomers, whether growing or not, and grown from a certified seed
23 with a delta-9 tetrahydrocannabinol concentration of not more than
24 three-tenths of one percent (0.3%) on a dry-weight basis. Hemp and

1 hemp-derived cannabinoids, including cannabidiol, shall be
2 considered an agricultural commodity and not a controlled substance
3 due to the presence of hemp or hemp-derived cannabinoids.

4 8. "Hemp Program" means the Oklahoma Hemp Industrial Reform
5 Program and any final ruling from the USDA.

6 9. "Law enforcement" means any federal, state or local agencies
7 responsible for maintaining public order and enforcing the law.

8 10. "License" means the written authorization by the Department
9 for any person to grow, process, handle or transport certified seeds
10 or hemp in this state.

11 11. "Person" means any natural person or any corporation,
12 general partnership, limited partnership, limited liability
13 partnership, limited liability company, trust, estate, charitable
14 organization, joint stock company, joint venture, association or any
15 other business similar organization recognized by the state.

16 12. "Processor" means any person who is licensed by the
17 Department to process hemp in this state.

18 13. "State" means the State of Oklahoma.

19 14. "THC" means delta-9 tetrahydrocannabinol, which is a
20 psychoactive component in cannabis plants.

21 15. "Tracking software" means software that is approved by the
22 Department and is capable of transparently tracking hemp in any
23 state or form whatsoever including, but not limited to, a certified
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1 seed, any stage of growth, processing or handling, and any hemp
2 product.

3 16. "USDA" means the United States Department of Agriculture.

4 C. In the event that any hemp produced under the Hemp Program
5 is determined by testing results to be noncompliant with the Hemp
6 Program, the person holding the license for the noncompliant hemp
7 may request approval from the Department to remediate the
8 noncompliant hemp.

9 D. If the Department approves the remediation of the
10 noncompliant hemp, the person holding the license shall promptly
11 have the noncompliant hemp extracted by a licensed processor into
12 concentrated form, and the hemp concentrate shall be sampled by a
13 certified laboratory for compliance with USDA levels for THC in
14 concentrated form.

15 E. If the samples of the hemp concentrate are below USDA levels
16 for THC, the hemp concentrate shall be compliant as a hemp product
17 under with the Hemp Program and may be used in commercial sales.

18 F. If the samples of the hemp concentrate are above the USDA
19 levels for THC, the hemp concentrate shall be noncompliant with the
20 Hemp Program and shall be destroyed in accordance with the CSA and
21 DEA regulations found at 21 CFR 1317.15 as enforced by federal,
22 state and local law enforcement. The person holding the license for
23 the noncompliant hemp concentrate shall promptly notify the
24 Department and USDA of its intent to destroy the noncompliant hemp

1 concentrate and verify destruction by submitting required
2 documentation using the tracking software.

3 SECTION 2. This act shall become effective November 1, 2020.

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5 57-2-11299 AMM 02/24/20

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