

05/14/2019 01:55:14 PM

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB2628**

By: Echols of the House and Paxton of the Senate

Title: Agriculture; authorizing the State Board of Agriculture to submit documents and plans to the United States Department of Agriculture for approval of the Oklahoma Industrial Hemp Program; effective date; emergency.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the following Conference Committee Substitute be adopted.

Respectfully submitted,

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

HB2628 CCR (A)  
**HOUSE CONFEREES**

Brewer, Denise

Caldwell, Trey

Crosswhite Hader, Denise

Frix, Avery

Grego, Jim

Hardin, David

Hasenbeck, Toni

Humphrey, Justin

Kerbs, Dell

Meredith, Matt

Newton, Carl

Patzkowsky, Kenton

Perryman, David

Pfeiffer, John

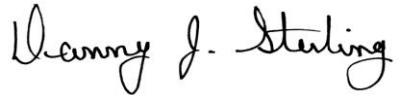
Pittman, Ajay

Sanders, Mike

Smith, David

Sterling, Danny

Tadlock, Johnny



HB2628 CCR A

**SENATE CONFEREES**

Paxton

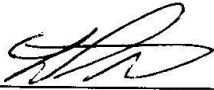
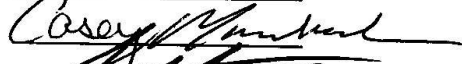
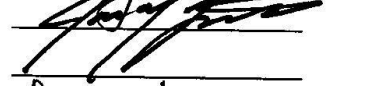


Murdock

Leewright

Allen

Boren

Dossett

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

**AUTHOR(s)/COAUTHOR(s)CURRENTLY IN THE QUEUE for HB2628**

**As of 5/14/2019 1:50:21 PM**

Add as coauthor Representative Grego

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

CONFERENCE COMMITTEE  
SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL NO. 2628

By: Echols of the House

and

Paxton of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to industrial hemp; amending Sections 3 and 8, Chapter 64, O.S.L. 2018 (2 O.S. Supp. 2018, Sections 3-403 and 3-408), as amended by Sections 4 and 8 of Enrolled Senate Bill No. 868 of the 1st Session of the 57th Legislature, which relate to the Oklahoma Industrial Hemp Program; modifying authorization of licensee; removing penalty exception; removing disposal method requirement; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 3, Chapter 64, O.S.L. 2018 (2 O.S. Supp. 2018, Section 3-403), as amended by Section 4 of Enrolled Senate Bill No. 868 of the 1st Session of the 57th Legislature, is amended to read as follows:

Section 3-403. A. A licensee is authorized to:

1. Engage in the growth and cultivation of industrial hemp for agricultural plant research purposes; and

1        2. Upon approval by the United States Department of Agriculture  
2 of the Oklahoma Industrial Hemp Program, engage in the growth,  
3 cultivation, handling or processing of industrial hemp.

4        B. The activities performed under the Oklahoma Industrial Hemp  
5 Program shall not subject the persons participating in the program  
6 to criminal liability under the Uniform Controlled Dangerous  
7 Substances Act. The exemption from criminal liability provided for  
8 in this subsection is a limited exemption that shall be strictly  
9 construed and shall not apply to an activity that is not expressly  
10 permitted under the Oklahoma Industrial Hemp Program.

11        SECTION 2.        AMENDATORY        Section 8, Chapter 64, O.S.L. 2018  
12 (2 O.S. Supp. 2018, Section 3-408), as amended by Section 8 of  
13 Enrolled Senate Bill No. 868 of the 1st Session of the 57th  
14 Legislature, is amended to read as follows:

15        Section 3-408. A. The Department may deny, revoke or suspend a  
16 license if the licensee:

17        1. Violates any provision of the Oklahoma Industrial Hemp  
18 Program or rules adopted pursuant to the program;

19        2. Engages in fraud or deception in the procurement of or  
20 attempt to procure a license under this Oklahoma Industrial Hemp  
21 Program or provides false information on a license application;

22        3. Refuses or fails to cooperate and assist the Department with  
23 the inspection process;  
24

1 4. Refuses or fails to provide any information required or  
2 requested by the Department for purposes of the Oklahoma Industrial  
3 Hemp Program;

4 5. Knowingly provides false, misleading or incorrect  
5 information pertaining to the licensee's cultivation, handling or  
6 processing of industrial hemp to the Department by any means,  
7 including information provided in any application form, report,  
8 record or inspection required or maintained for purposes of the  
9 Oklahoma Industrial Hemp Program;

10 6. Fails to submit any report required by the Oklahoma  
11 Industrial Hemp Program; or

12 7. Fails to pay fees required by the Oklahoma Industrial Hemp  
13 Program.

14 B. 1. ~~If a sample of a licensee's industrial hemp tests higher~~  
15 ~~than three tenths of one percent (0.3%) but less than one percent~~  
16 ~~(1%) delta-9 tetrahydrocannabinol concentration, the licensee shall~~  
17 ~~not be subject to any penalty under the Oklahoma Industrial Hemp~~  
18 ~~Program if the crop is destroyed; and~~

19 2. ~~The disposal method used shall be based on rules promulgated~~  
20 ~~by the State Board of Agriculture and shall comply with a corrective~~  
21 ~~action plan developed by the licensee.~~

22 C. ~~1.~~ A licensee that negligently violates the provisions of  
23 the Oklahoma Industrial Hemp Program shall not be subject to a  
24 criminal enforcement action; ~~and.~~

1        2. A licensee that negligently violates the provisions of the  
2 Oklahoma Industrial Hemp Program three (3) times in any five-year  
3 period shall be ineligible to obtain a license ~~to produce hemp~~  
4 pursuant to the Oklahoma Industrial Hemp Program for a period of  
5 five (5) years beginning on the date of the third violation.

6        ~~D.~~ C. Any person convicted of a felony relating to a controlled  
7 substance under state or federal law shall be ineligible during the  
8 ten-year period following the date of conviction to participate in  
9 this program.

10        SECTION 3. It being immediately necessary for the preservation  
11 of the public peace, health or safety, an emergency is hereby  
12 declared to exist, by reason whereof this act shall take effect and  
13 be in full force from and after its passage and approval.

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15        57-1-8925        AMM        05/09/19  
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