

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 18-1167.01 Jennifer Berman x3286

SENATE BILL 18-235

SENATE SPONSORSHIP

Coram,

HOUSE SPONSORSHIP

Arndt,

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

Agriculture, Livestock, & Natural Resources

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF THE COLORADO INDUSTRIAL HEMP
102 RESEARCH AND DEVELOPMENT AUTHORITY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Section 2 of the bill creates the Colorado industrial hemp research and development authority (authority) to develop, fund, and promote educational, research, and development programs and collaborative efforts concerning industrial hemp. In furtherance of its purpose, the authority is directed to apply for federal funding from the national institution of food and agriculture (NIFA) in the United States department

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
2nd Reading Unamended
May 2, 2018

SENATE
3rd Reading Unamended
April 27, 2018

SENATE
Amended 2nd Reading
April 26, 2018

of agriculture for industrial hemp education, research, and extension programs and projects. In seeking a competitive grant from NIFA, the authority is directed to seek designation as a center of excellence to obtain priority in NIFA's competitive grant application process.

Section 1 authorizes the commissioner of agriculture to distribute money to the authority from the industrial hemp research grant fund for use by the authority to match federal or private money received by the authority for use in funding industrial hemp education, research, or development projects or programs supported by the authority.

Sections 3 to 12 make conforming amendments.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add 35-61-108.5** as
3 **follows:**

4 **35-61-108.5. Colorado industrial hemp research and**
5 **development task force - legislative declaration - definitions -**
6 **reporting - repeal.** (1) **THE GENERAL ASSEMBLY FINDS, DETERMINES,**
7 **AND DECLARES THAT:**

8 **(a) THE CONTINUED AND INCREASED PRODUCTION AND EFFICIENT**
9 **USE OF INDUSTRIAL HEMP WILL PLAY A CENTRAL ROLE IN THE FUTURE OF**
10 **THIS STATE AND THE NATION AS A WHOLE;**

11 **(b) THE DEVELOPMENT, PRODUCTION, AND EFFICIENT USE OF**
12 **INDUSTRIAL HEMP WILL:**

13 **(I) ADVANCE THE SECURITY, ECONOMIC WELL-BEING, AND PUBLIC**
14 **AND ENVIRONMENTAL HEALTH OF THIS STATE; AND**

15 **(II) CONTRIBUTE TO THE AGRICULTURAL INDEPENDENCE OF OUR**
16 **NATION; AND**

17 **(c) A TASK FORCE SHOULD BE ASSEMBLED TO STUDY WHETHER TO**
18 **CREATE AN INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT AUTHORITY**
19 **TO DEVELOP, FUND, AND PROMOTE EDUCATIONAL, RESEARCH, AND**
20 **DEVELOPMENT PROGRAMS AND COLLABORATIVE EFFORTS CONCERNING**

1 INDUSTRIAL HEMP.

2 (2) THERE IS HEREBY CREATED A COLORADO INDUSTRIAL HEMP
3 RESEARCH AND DEVELOPMENT TASK FORCE TO STUDY WHETHER TO
4 CREATE AN INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT AUTHORITY,
5 WHICH AUTHORITY, IF CREATED, MIGHT BE AUTHORIZED TO ENGAGE IN
6 SOME OR ALL OF THE FOLLOWING ACTIVITIES:

7 (a) APPLYING FOR FEDERAL FUNDING, AND DISBURSING MATCHING
8 STATE FUNDS, FOR INDUSTRIAL HEMP EDUCATION, RESEARCH, OR
9 DEVELOPMENT PROJECTS THROUGHOUT COLORADO;

10 (b) IN COLLABORATION WITH STAKEHOLDERS, DEVELOPING
11 EDUCATIONAL AND RESEARCH PROGRAMS FOR ONE OR MORE COLORADO
12 INSTITUTIONS OF HIGHER EDUCATION TO PROVIDE A PIPELINE FOR
13 HIGH-TECHNOLOGY EMPLOYMENT OPPORTUNITIES FOR COLORADO
14 STUDENTS AND RESIDENTS;

15 (c) PROMOTING ACTIVITIES AUTHORIZED PURSUANT TO SECTION
16 7606 OF THE FEDERAL ACT AUTHORIZING INDUSTRIAL HEMP RESEARCH
17 AND PILOT PROGRAMS;

18 (d) PROMOTING THE RAPID TRANSFER OF NEW TECHNOLOGIES
19 DEVELOPED BY THE PRIVATE SECTOR TO ATTRACT AND PROMOTE
20 INDUSTRIAL HEMP BUSINESS IN COLORADO;

21 (e) DEVELOPING A REGIONAL CLEARINGHOUSE FOR INDUSTRIAL
22 HEMP INFORMATION AND RESEARCH TO BE MADE AVAILABLE TO THE
23 GENERAL PUBLIC AND TO ENGINEERING, ARCHITECTURAL, ENERGY,
24 NUTRITIONAL, HEALTH, AND AGRICULTURAL PROFESSIONALS;

25 (f) SUPPORTING THE DEVELOPMENT OF PUBLIC-PRIVATE
26 PARTNERSHIPS CONCERNING INDUSTRIAL HEMP, INCLUDING PARTNERSHIPS
27 TO FUND ANY JOINT INSTITUTE OR OTHER ENTITY FORMED FOR THE

1 COLLABORATIVE PURSUIT OF INDUSTRIAL HEMP RESEARCH, ECONOMIC
2 DEVELOPMENT, OR DATA COLLECTION; AND

3 (g) APPLYING FOR ONE OR MORE COMPETITIVE GRANTS FROM
4 NIFA AND, AS A PART OF ANY SUCH APPLICATION, SEEKING DESIGNATION
5 AS A CENTER OF EXCELLENCE FROM NIFA.

6 (3) (a) THE TASK FORCE CONSISTS OF THE FOLLOWING EIGHT
7 MEMBERS:

8 (I) THREE MEMBERS JOINTLY APPOINTED BY THE CHAIRS OF THE
9 AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE
10 HOUSE OF REPRESENTATIVES AND THE AGRICULTURE, NATURAL
11 RESOURCES, AND ENERGY COMMITTEE IN THE SENATE, OR THEIR
12 SUCCESSOR COMMITTEES, AS RECOMMENDED BY THE INDUSTRIAL HEMP
13 COMMITTEE CREATED IN SECTION 35-61-103;

14 (II) A REPRESENTATIVE OF THE DEPARTMENT, AS APPOINTED BY
15 THE COMMISSIONER;

16 (III) A REPRESENTATIVE OF THE COLORADO STATE UNIVERSITY
17 SYSTEM, AS APPOINTED BY ITS BOARD OF GOVERNORS;

18 (IV) A REPRESENTATIVE OF THE UNIVERSITY OF COLORADO AT
19 BOULDER, AS APPOINTED BY ITS BOARD OF REGENTS;

20 (V) A REPRESENTATIVE OF COLORADO MESA UNIVERSITY, AS
21 APPOINTED BY ITS BOARD OF TRUSTEES; AND

22 (VI) A REPRESENTATIVE OF A NATIONWIDE OR STATEWIDE
23 NONPROFIT INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT
24 ORGANIZATION THAT IS JOINTLY CHOSEN BY THE COMMITTEE CHAIRS
25 DESCRIBED IN SUBSECTION (3)(a)(I) OF THIS SECTION, AS APPOINTED BY
26 THE ORGANIZATION'S BOARD OF DIRECTORS.

27 (b) MEMBERS OF THE TASK FORCE SERVE WITHOUT

1 COMPENSATION.

2 (4) ON OR BEFORE DECEMBER 31, 2018, THE TASK FORCE SHALL
3 PREPARE A REPORT SUMMARIZING THE TASK FORCE'S STUDY FINDINGS AND
4 RECOMMENDATIONS AND SUBMIT A COPY OF THE REPORT TO THE
5 COLORADO OFFICE OF ECONOMIC DEVELOPMENT CREATED IN SECTION
6 24-48.5-101 AND TO THE COMMITTEES DESCRIBED IN SUBSECTION (3)(a)(I)
7 OF THIS SECTION.

8 (5) AS USED IN THIS SECTION:

9 (a) "CENTER OF EXCELLENCE" MEANS A CENTER OF EXCELLENCE
10 FOR FOOD AND AGRICULTURAL RESEARCH, EDUCATION, AND EXTENSION,
11 AS DESIGNATED BY NIFA PURSUANT TO SECTION 7214 OF THE FEDERAL
12 ACT AND 7 CFR 3430.16.

13 (b) "FEDERAL ACT" MEANS THE "AGRICULTURAL ACT OF 2014",
14 PUB.L. 113-79, AS AMENDED.

15 (c) "NIFA" MEANS THE NATIONAL INSTITUTE OF FOOD AND
16 AGRICULTURE IN THE UNITED STATES DEPARTMENT OF AGRICULTURE.

17 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2019.

18 **SECTION 2. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly (August
21 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
22 referendum petition is filed pursuant to section 1 (3) of article V of the
23 state constitution against this act or an item, section, or part of this act
24 within such period, then the act, item, section, or part will not take effect
25 unless approved by the people at the general election to be held in
26 November 2018 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.