

CHAPTER 302

AGRICULTURE

SENATE BILL 18-235

BY SENATOR(S) Coram, Aguilar, Court, Crowder, Donovan, Fenberg, Fields, Guzman, Kagan, Kefalas, Kerr, Merrifield, Tate, Todd, Williams A.;
also REPRESENTATIVE(S) Arndt, Bridges, Buckner, Catlin, Ginal, Gray, Herod, Hooton, Jackson, Lontine, Melton, Reyher, Rosenthal, Valdez, Young.

AN ACT**CONCERNING THE CREATION OF THE COLORADO INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT AUTHORITY.**

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

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

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

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

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

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

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

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

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

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

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

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

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

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

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

(f) SUPPORTING THE DEVELOPMENT OF PUBLIC-PRIVATE PARTNERSHIPS CONCERNING INDUSTRIAL HEMP, INCLUDING PARTNERSHIPS TO FUND ANY JOINT INSTITUTE OR OTHER ENTITY FORMED FOR THE COLLABORATIVE PURSUIT OF INDUSTRIAL HEMP RESEARCH, ECONOMIC DEVELOPMENT, OR DATA COLLECTION; AND

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

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

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

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

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

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

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

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

(b) MEMBERS OF THE TASK FORCE SERVE WITHOUT COMPENSATION.

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

(5) AS USED IN THIS SECTION:

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

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

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

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

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

Approved: May 29, 2018