

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 2238, Page 1, Section 192.945, Line 3, by
2 deleting "section 192.207" and inserting in lieu thereof the words "section 195.207"; and
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4 Further amend said bill, Page 3, Section 195.207, Line 1, by deleting all of said line and inserting in
5 lieu thereof the following:
6

7 "195.207. 1. As used in sections 192.945, 261.265, 261.267, and this section, the term
8 "hemp extract""; and
9

10 Further amend said bill, Pages 4 and 5, Section 261.265, Lines 2 through 13, and 14 through 31,
11 respectively, by deleting all of said lines and inserting in lieu thereof the following:
12

13 "(1) "Cultivation and production facility", the land and premises specified in an application
14 for a certificate on which the certificate holder is authorized to grow, cultivate, process, and possess
15 hemp and hemp extract;

16 (2) "Department", the department of agriculture;

17 (3) "Grower", a nonprofit entity certified by the department of agriculture that produces
18 hemp extract for the treatment of intractable epilepsy;

19 (4) "Hemp";

20 (a) All non-seed parts and varieties of the cannabis sativa plant, whether growing or not, that
21 contain a crop wide average tetrahydrocannabinol (THC) concentration that does not exceed the
22 lesser of:

23 a. Three-tenths of one percent on a dry weight basis; or

24 b. The percent based on a dry weight basis determined by the federal Controlled Substances

25 Act;

26 (b) Any cannabis sativa seed that is:

27 a. Part of a growing crop;

28 b. Retained by a grower for future planting; or

29 c. For processing into or use as agricultural hemp seed.

30 This term shall not include industrial hemp commodities or products.

31 (5) "Hemp extract certificate", a certificate issued by the department to a grower to grow or
32 cultivate hemp under this section;

33 (6) "Hemp monitoring system", an electronic tracking system that includes, but is not limited
34 to, testing and data collection established and maintained by the cultivation and production facility
35 and is available to the department for the purposes of documenting the hemp extract production and
36 retail sale of the hemp extract.

Action Taken _____ Date _____

1 2. All growers shall keep records in accordance with rules adopted by the department. Upon
2 at least three days notice, the director of the department may audit the required records during
3 normal business hours. The director may conduct an audit for the purpose of ensuring compliance
4 with this section.

5 3. In addition to an audit conducted in accordance with subsection 2 of this section, the
6 director may inspect independently, or in cooperation with the state highway patrol or a local law
7 enforcement agency, any hemp crop during the crop's growth phase and take a representative
8 composite sample for field analysis. If a crop contains an average tetrahydrocannabinol (THC)
9 concentration exceeding the lessor of:

10 (1) Three-tenths of one percent on a dry weight basis; or

11 (2) The percent based on a dry weight basis determined by the federal Controlled Substance
12 Act under 21 U.S.C. Section 801 et seq..

13 4. A grower may produce, manufacture, and distribute hemp extract as defined in section
14 195.207 for the treatment of persons suffering from intractable epilepsy as defined in section
15 192.945 consistent with any and all state or federal regulations regarding the production,
16 manufacture, or distribution of such product. The department of agriculture and the department of
17 health and senior services shall establish rules and regulations regarding the manufacture, storage,
18 transportation, and distribution of hemp extract under this section which shall be in addition to any
19 other state or federal regulations. Each grower shall be granted no more than two certificates for the
20 growing and processing of hemp extract.

21 5. All hemp waste from the production of hemp extract shall either be destroyed, recycled by
22 the certificate holder at the hemp cultivation and production facility, or donated to the department or
23 an institution of higher education for research purposes, and shall not be used for commercial
24 purposes.

25 6. The department shall certify a grower to grow or cultivate the cannabis plant used to make
26 hemp extract as defined in subsection 1 of section 195.207 or hemp on its property if the grower has
27 submitted to the department an application as required by the department under subsection 8 of this
28 section.

29 7. The department shall maintain a list of hemp extract certificate holders.

30 8. The department shall promulgate rules including, but not limited to, application
31 requirements for certification, security requirements for cultivation and production facility premises,
32 including, at a minimum, lighting, physical security, video and alarm requirements, hemp
33 monitoring systems as defined in this section, and other procedures for internal control as deemed
34 necessary by the department to properly administer and enforce the provisions of this section,
35 including reporting requirements for changes, alterations, or modifications of the premises. Any rule
36 or portion of"; and

37
38 Further amend said bill by amending the title, enacting clause, and intersectional references
39 accordingly.