

§ 505. Definitions. As used in this article:

1. "Industrial hemp" means the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

2. "Institution of higher education" means:

(a) any of the colleges and universities described in subdivision three of section three hundred fifty-two of the education law;

(b) a college established and operated pursuant to the provisions of article one hundred twenty-six of the education law, and providing two-year or four-year post secondary programs in general and technical educational subjects and receiving financial assistance from the state;

(c) the city university of New York, as defined in subdivision two of section sixty-two hundred two of the education law; and

(d) a not-for-profit two or four year university or college given the power to confer associate, baccalaureate or higher degrees in this state by the legislature or by the regents under article five of the education law.

§ 506. Growth, sale, distribution, transportation and processing of industrial hemp and products derived from such hemp permitted. Notwithstanding any provision of law to the contrary, industrial hemp and products derived from such hemp are agricultural products which may be grown, produced and possessed in the state, and sold, distributed, transported or processed either in or out of state as part of agricultural pilot programs pursuant to authorization under federal law and the provisions of this article.

Notwithstanding any provision of law to the contrary restricting the growing or cultivating, sale, distribution, transportation or processing of industrial hemp and products derived from such hemp, and subject to authorization under federal law, the commissioner may authorize the growing or cultivating of industrial hemp as part of agricultural pilot programs conducted by the department and/or an institution of higher education to study the growth and cultivation, sale, distribution, transportation and processing of such hemp and products derived from such hemp provided that the sites and programs used for growing or cultivating industrial hemp are certified by, and registered with, the department.

§ 507. Prohibitions. Except as authorized by federal and state law, and regulations promulgated pursuant to section five hundred eight of this article, the sale, distribution or export of industrial hemp grown or cultivated pursuant to this article is prohibited.

§ 508. Regulations. In cooperation with the commissioner of health and the commissioner of criminal justice services, the commissioner shall develop regulations consistent with the provisions of this article for the approval of agricultural pilot programs for the growing and cultivation, sale, distribution, transportation or processing of industrial hemp and products derived from such hemp, including, but not limited to:

(a) the authorization of any person who as part of such programs may: acquire or possess industrial hemp plants or hemp seeds; grow or cultivate industrial hemp plants; and/or, sell, purchase, distribute,

transport or process such plants, seeds and products; and

(b) the disposal, if necessary, of industrial hemp after it has been grown or cultivated and studied.

§ 509. Industrial hemp reporting. The commissioner, in cooperation with the commissioner of economic development, shall file a written report with the governor, the majority and minority leaders of the senate and the speaker and minority leader of the assembly on January first, two thousand eighteen concerning the status of agricultural pilot programs developed pursuant to this article. Such report shall include, but not be limited to, the success of such programs in cultivating, marketing, processing and selling industrial hemp and products derived from such hemp, and the opportunities and barriers to developing hemp related businesses and jobs.

§ 510. Industrial hemp seed certification program. The commissioner shall establish an industrial hemp seed certification program in the department to, among other things, set industrial hemp seed certification standards and establish seed quality benchmarks to ensure that the local hemp cultivars are developed to be well adapted for New York state's climate and farm management practices and that they are stable with respect to the concentration of delta-9 tetrahydrocannabinol.

§ 511. Industrial hemp data collection and best farming practices. The department, through the commissioner, shall have the power to collect and publish data and research concerning, among other things, the growth, cultivation, production and processing methods of industrial hemp and products derived from industrial hemp. Based upon this collection of data and research, the department shall work with the cornell cooperative extension to promote best farming practices for industrial hemp which are compatible with state water quality and other environmental objectives.

§ 512. Industrial hemp economic development. The commissioner shall consult and cooperate with the New York State urban development corporation with respect to the funding and support of research concerning industrial hemp and businesses involved in the processing and manufacturing of industrial hemp products.

§ 513. Industrial hemp one-stop shop. The commissioner shall establish a department one-stop shop hotline and webpage to provide information and technical assistance to producers and manufacturers with respect to the law and regulations surrounding industrial hemp for so long as industrial hemp is subject to regulation under the federal or state Controlled Substances Act.

§ 514. Industrial hemp workgroup. The commissioner shall appoint a New York state industrial hemp workgroup, composed of researchers, producers, processors and manufacturers, serving two-year terms, to make recommendations concerning research topics for the industrial hemp

research pilot program, state and federal policies and policy initiatives, and opportunities for the promotion and marketing of industrial hemp as consistent with federal and state laws, rules and regulations, which workgroup shall continue for such time as the commissioner deems appropriate.