



Legislative Council Staff
Research Note

Version: House Second
Reading
Date: 3/7/20

Bill Number

Senate Bill 17-109

Sponsors

Senator Donovan
Representative Arndt

Short Title

Industrial Hemp Animal Feed

Research Analyst

David Beaujon (x4781)

Status

The bill is currently pending before the House Committee of the Whole. This research note reflects the reengrossed bill.

Background

In 2012, voters approved Amendment 64, which legalized the sale and use of retail (non-medical) marijuana and industrial hemp. Industrial hemp is regulated by the Colorado Department of Agriculture (CDA). It cannot contain a tetrahydrocannabinol (THC) concentration above 0.3 percent on a dry weight basis. It is considered a Schedule I controlled substance by the federal government. This schedule includes substances such as marijuana, heroin, and LSD which do not have a currently accepted medical use, lack accepted safety for use under medical supervision, and have a high potential for abuse.

The most recent federal Farm Bill included a provision that authorized a state department of agriculture or institution of higher education in a state where cultivation of industrial hemp is legal to conduct industrial hemp research. The CDA obtained a Drug Enforcement Agency (DEA) registration allowing it to import industrial hemp seed. The CDA will be able to provide contract farmers, Colorado State University, and the University of Colorado at Boulder with hemp seed for the certified seed program and research without those entities having to obtain a DEA registration.

This research note was prepared by Legislative Council Staff, the nonpartisan research staff for the Colorado General Assembly. The research note is provided for informational purposes only and should not be relied upon as an official record of action by the General Assembly. Legislative Council Staff are not attorneys, and the research note is not a legal opinion. If you have legal questions about the bill, including questions about the meaning of the bill language or amendments, please contact the drafter.

Senate Action

Senate Agriculture, Natural Resources, and Energy Committee (February 9, 2017). At the hearing, representatives from the Colorado Department of Agriculture and the Great Plains Hemp Coop spoke in support of the bill. The committee adopted Amendment L.002 that strikes everything below the enacting clause. The amendment requires the Commissioner of Agriculture to create a group to study the feasibility of including hemp in animal feed. It also identifies entities that must be members of the study group including a hemp producer, a hemp processor, a legal expert, a person from a higher education institution who has studied hemp policy, a veterinarian, a livestock producer, and anyone else the commissioner determines would facilitate the understanding of including hemp products in animal feed. This group must report its legislative recommendations by December 31, 2017. The committee referred the bill, as amended, to the Senate Committee of the Whole consent calendar.

Senate second reading (February 13, 2017). The Senate adopted the Senate Agriculture, Natural Resources, and Energy Committee report. The Senate passed the bill on second reading, as amended.

Senate third reading (February 14, 2017). The Senate passed the bill on third reading with no amendments.

House Action

House Agriculture, Livestock, and Natural Resources Committee (March 6, 2017). At the hearing, representatives from the Colorado Department of Agriculture, the Colorado Cattlemen's Association, and several hemp and marijuana businesses spoke in support of the bill. There was no opposition to the bill. The committee referred the bill, without amendment, to the House Committee of the Whole.

House Action

Relevant Research