



SPONSOR: Rep. Wilson & Sen. Simpson;
Reps. D. Short, Hudson, Blakey, Briggs King, Dukes,
Gray, Miro, Outten, Smyk, Spiegelman, Carson, J.
Johnson, Keeley, Mitchell, Mulrooney, Paradee; Sens.
Ennis, Henry, Venables

HOUSE OF REPRESENTATIVES
147th GENERAL ASSEMBLY

HOUSE BILL NO. 385

AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO INDUSTRIAL HEMP.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section1. Amend Title 3 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

Chapter 103. INDUSTRIAL HEMP

§10300 Short title.

This Act shall be known and may be cited as the “Industrial Hemp Research Act.”

§10301 Definitions.

For purposes of this chapter:

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

(2) “Department” means the Department of Agriculture.

§10302 Industrial hemp – Agricultural academic research.

(a) Notwithstanding any law or regulation to the contrary, the Department may grow or cultivate industrial hemp for the purpose of agricultural or academic research.

(b) The Department is authorized to certify a higher education institution to grow or cultivate industrial hemp for the purpose of agricultural or academic research where the higher education institution submits the following to the Department:

(1) The location where the higher education institution intends to grow or cultivate industrial hemp;

(2) The higher education institution’s research plan; and

(3) The name of an employee of the higher education institution that will supervise the industrial hemp growth, cultivation, and research.

21 (c) The Department shall maintain a list of each higher education institution certified to grow or cultivate industrial
22 hemp under this chapter.

23 Section 2. The Department of Agriculture shall promulgate such rules, regulations, and standards as are necessary
24 to further the objectives and provisions of this chapter.

SYNOPSIS

Section 7606 of the federal Farm Bill exempts the growth and cultivation of industrial hemp for research purposes from the provisions of the federal Controlled Substances Act, the Safe and Drug-Free Schools and Communities Act, Chapter 81 of Title 41 of the United States Code, and any other Federal law so long as such growth and cultivation is also permitted under state law. This Bill authorizes the growth and cultivation of industrial hemp by the Department of Agriculture and higher education institutions for research purposes in the State of Delaware. Any higher education institution wishing to grow or cultivate industrial hemp in Delaware must be certified by the Department of Agriculture. The Department of Agriculture is authorized to develop such rules, regulations, and standards as are necessary to further the objectives of this Act.