

INDUSTRIAL HEMP GROWERS ACT (EXCERPT)

Act 220 of 2020

Chapter II

Application and Registration

333.29201 Grower registration; application; requirements.

Sec. 201.

- (1) A person shall not grow industrial hemp in this state unless the person is a grower.
- (2) A person applying for a registration under this section shall do so on an application and in a manner provided by the department. The applicant shall include with the application all of the following information:
 - (a) The applicant's full name, date of birth, mailing address, telephone number, and electronic mail address. If the applicant is not an individual, the application must include the EIN number of the applicant and for each key participant, his or her full name, date of birth, title, and electronic mail address.
 - (b) The total acreage and greenhouse or other indoor square footage where industrial hemp will be grown.
 - (c) The address and legal description of and GPS coordinates for each field, greenhouse, building, or other location where industrial hemp will be grown.
 - (d) Maps depicting each field, greenhouse, building, or other location where industrial hemp will be grown that indicate entrances, field boundaries, and specific locations corresponding to the GPS coordinates provided under subdivision (c).
 - (e) A criminal history report for the applicant, or, if the applicant is not an individual, a criminal history report for each key participant.
- (3) The department shall grant an applicant described in this section a registration to grow industrial hemp if the applicant does all of the following:
 - (a) Submits a completed application under subsection (2).
 - (b) Pays the applicable fees under section 511.
 - (c) Meets the qualifications for registration.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020

333.29211 Initial registration; expiration; renewal; nontransferability.

Sec. 211.

- (1) An initial registration granted by the department under this act expires at midnight on January 31 immediately following the date on which the registration is granted.
- (2) Other than a registration granted under subsection (1), a registration is valid for 1 year beginning on February 1 and expiring at midnight on the following January 31.
- (3) To renew a registration, an applicant must do all of the following:
 - (a) Submit an application on a form and in a manner provided by the department.
 - (b) If the application is submitted on or before January 31, pay the registration fee under section 511.
 - (c) If an application is submitted after January 31, pay the registration fee under section 511 and a late fee of \$250.00.
- (4) If an applicant provides express written consent to disclose personal information on an application, the applicant's name, email address, and telephone number may be disclosed to a grower, a processor-handler licensed under the industrial hemp research and development act, 2014 PA 547, MCL 286.841 to 286.859, or a processor licensed under the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801. If the applicant does not provide express written consent to disclose personal information on the application, any information submitted by the applicant to the department on the application is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. This subsection does not apply to the disclosure of personal information to a law enforcement agency.
- (5) A registration is nontransferable.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020 ;-- Am. 2021, Act 4, Imd. Eff. Mar. 24, 2021

333.29213 Denial of application; notification.

Sec. 213.

(1) The department shall approve or deny an application for a registration within 120 days after the completed application is submitted.

(2) The department shall deny an application for a registration if any of the following apply:

(a) The application is incomplete.

(b) If the applicant is an individual, the applicant is under the age of 18.

(c) The applicant's location for growing industrial hemp is not located in this state.

(d) The applicant has not demonstrated, as determined by the department, a willingness to comply with this act or rules promulgated under this act.

(e) The applicant has unpaid fees or civil fines owed to this state under this act.

(f) The applicant has made a false statement or representation, as determined by the department, to the department or a law enforcement agency.

(g) The applicant had a registration revoked in the immediately preceding 5-year period.

(h) The applicant or, if the applicant is not an individual, a key participant of the applicant was convicted of a controlled substance felony in the immediately preceding 10-year period. This subdivision does not apply if both of the following conditions are met:

(i) The applicant or key participant grew industrial hemp before December 20, 2018, as a pilot program participant under the agricultural act of 2014, Public Law 113-79.

(ii) The applicant's or key participant's conviction occurred before December 20, 2018.

(3) If the department denies an application because it is incomplete, the department shall notify the applicant of the denial within 120 days after the application is submitted, by letter or by electronic mail, and state the deficiency and request additional information.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020

333.29215 Documentation of registration.

Sec. 215.

The department shall issue a document to a grower that evidences the granting of a registration.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020

333.29217 Appeal of denied application; hearing.

Sec. 217.

(1) If the department denies an application for a registration, the applicant may appeal the denial by submitting a written request for a hearing to the department. The applicant must submit the request to the department not more than 15 days after the date of the denial.

(2) The department shall conduct a hearing requested under this section pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

History: 2020, Act 220, Imd. Eff. Oct. 16, 2020