

1 AN ACT relating to hemp.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 260.858 is amended to read as follows:

4 **(1) As used in this section, "quick response code" or "QR code" means a type of**
5 **machine-readable, two (2) dimensional bar code that stores information about a**
6 **product.**

7 ~~(2)(1)~~ Notwithstanding any other provision of law to the contrary, it is lawful for a
8 licensee, or his or her agent, to cultivate, handle, or process hemp or hemp products
9 in the Commonwealth.

10 ~~(3)(2)~~ **Except as provided in subsection (4) of this section,** it is unlawful for a
11 person who does not hold a license issued by the department, or who is not an agent
12 of a licensee, to cultivate, handle, process, or market living hemp plants or viable
13 seeds, leaf materials, or floral materials derived from hemp. Penalties for persons
14 who cultivate, handle, process, or market living hemp plants or viable seeds, leaf
15 materials, or floral materials derived from hemp without a license are the same as
16 those penalties that are applicable to persons who violate KRS Chapter 218A,
17 relating to marijuana.

18 **(4) It is lawful for a person over twenty-one (21) years of age to possess hemp leaf**
19 **materials or hemp floral materials that have been certified as hemp by the**
20 **department.**

21 **(5) The department shall promulgate administrative regulations to establish a**
22 **certification process and labeling requirements for hemp leaf materials or hemp**
23 **floral materials in accordance with this section. Certified hemp leaf materials or**
24 **certified hemp floral materials shall bear labeling to include:**

25 **(a) The Kentucky Proud logo; and**

26 **(b) A QR code.**

27 ~~(6)(3)~~ It is unlawful for a person who does not hold a license issued by the

1 department, or who is not an agent of a licensee, to possess hemp extract material
2 having a delta-9 tetrahydrocannabinol concentration in excess of three-tenths of one
3 percent (0.3%). Penalties for persons who possess such hemp extract materials
4 without a license are the same as those penalties that are applicable to persons who
5 violate KRS Chapter 218A, relating to marijuana.

6 ~~(Z)(4)~~ Nothing in this chapter authorizes any person to violate any federal or state
7 law or regulation.